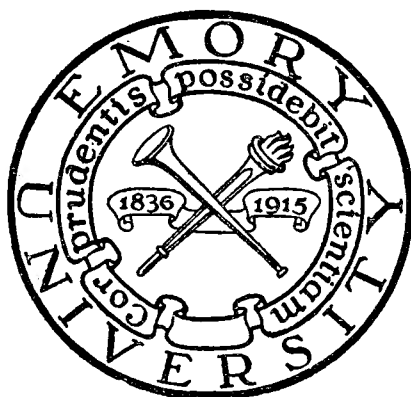




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JOURNAL OF THE SENATE
OF THE
STATE OF GEORGIA,
AT THE
CALLED SESSION
OF THE
GENERAL ASSEMBLY,
COMMENCED AT
ATLANTA, GEORGIA,
JULY 4TH, 1868.

Macon, Ga.:

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1868.

JOURNAL OF THE SENATE

OF THE

STATE OF GEORGIA.

SENATE CHAMBER,
ATLANTA, GEORGIA,
Saturday, July 4th, 1868.
12 o'clock, M.

Pursuant to General Orders No. 98, issued from Headquarters Third Military District, Department of Georgia, Alabama and Florida, dated Atlanta, Georgia, July 3d, 1868, the Honorable R. B. Bullock, Governor elect of the State of Georgia, proceeded to organize the Senate.

Jackson T. Taylor, Esq., was requested to act as Secretary, and S. C. Johnson, Esq., as Assistant.

By direction of the Governor elect, acting as Chairman, the Secretary read the act of the Congress of the United States, admitting to representation in Congress the States of North Carolina, South Carolina, Louisiana, Georgia and Florida; the proclamation of the Governor elect, General Order No. 98, referred to above, and General Order No. 90, in the order following, to-wit:

AN ACT to admit the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama and Florida, to representation in Congress:

WHEREAS, The people of North Carolina, South Carolina, Louisiana, Georgia, Alabama and Florida, have, in pursuance of the provisions of an act entitled "An act for the more efficient government of the rebel States," passed March 2d, 1867, and the acts supplemental thereto, framed constitutions for a State government, which are republican, and have adopted said constitutions by large majorities of the votes cast at the elections held for the ratification or repealing of the same: Therefore,

Be it enacted, That each of the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama and Florida shall be entitled and admitted to representation in Congress as a State of the Union, when the Legislature of such State shall have duly ratified the amendment to the Constitution the United States, proposed by the Thirty-ninth Congress, and known as Article 14, upon the following fundamental conditions:

SECTION 1st. That the Constitution of neither of said States shall ever be so amended or changed as to deprive any citizen, or class of citizens, of the United States of the right to vote in said State who are entitled to vote by the Constitution thereof herein recognized, except as a punishment of such crimes as are now felonies at common law, whereof they shall have been duly convicted under laws equally applicable to all the inhabitants of said States; *Provided*, That any alterations of said Constitutions, prospective in its effect, may be made with regard to the time and place of residence of voters; and the State of Georgia shall only be entitled and admitted to representation upon this further fundamental condition: That the first and third sub-divisions of Section 17 of the 5th Article of the Constitution of said State, except the proviso to the first sub-division, shall be null and void, and that the General Assembly of said State, by solemn public act, shall declare the assent of the State to the foregoing fundamental condition.

SEC. 2. That, if the day fixed for the first meeting of the Legislature of either of said States by the Constitution or ordinance thereof shall have passed, or so nearly arrived, before the passage of this act, that there shall not be time for the Legislature to assemble at the period fixed, such Legislature shall convene at the end of twenty days from the time this act takes effect, unless the Governor elect shall sooner convene the same.

SEC. 3. That the First Section of this act shall take effect as to each State, except Georgia, when such State shall, by its Legislature, duly ratify Article 14 of the amendment to the Constitution of the United States proposed by the Thirty-ninth Congress, and as to the State of Georgia when it shall, in addition, give the assent of said State to the fundamental condition hereinbefore imposed upon the same; and thereupon the officers of each State duly elected and qualified under the Constitution thereof shall be inaugurated without delay; but no person prohibited from holding office under the United States or under any State by Section 3 of the proposed amendment to the Constitution of the United States, known as Article 14, shall be deemed eligible to any

office in either of said States, unless relieved from disability as provided in said amendment; and it is hereby made the duty of the President within ten days after receiving official information of the ratification of said amendment by the Legislature of either of said States, to issue a proclamation announcing that fact.

PROCLAMATION.

BY THE GOVERNOR ELECT.

Under authority granted by an Act of Congress, entitled "An act to admit the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama and Florida, to representation in Congress," which this day becomes a law, the persons who were elected members of the General Assembly of this State, at an election held on the 20th, 21st, 22d and 23d days of April last, and who are eligible to office under said act, are hereby notified to convene in the city of Atlanta at 12 o'clock, noon, on Saturday, the 4th day of July next.

RUFUS B. BULLOCK,

Governor elect of the State of Georgia.

Augusta, Ga., June 25th, 1868.

HEADQUARTERS THIRD MILITARY DISTRICT,

(DEPARTMENT OF GEORGIA, ALABAMA AND FLORIDA,)

ATLANTA, GEORGIA, JULY 3rd, 1868.

GENERAL ORDERS, }

No. 98. }

Whereas, By virtue of the Act of Congress which became a law June 25th, 1868, and the proclamation of the Governor elect, issued in conformity therewith, directing the assembling of the two Houses of the Legislature on the 4th instant; and whereas the usual mode of organizing legislative bodies is, in this instance, impracticable; therefore, it is ordered,

That the Honorable R. B. Bullock, Provisional Governor of the State, proceed at 12 M., on the 4th instant, to effect such preliminary organization of both Houses of the Legislature, as will enable the same to enter upon the discharge of the duties assigned them by law.

By order of MAJOR GENERAL MEADE:

R. C. DRUM,

Assistant Adjutant General.

Official:

R. C. DRUM, A. A. G.

HEADQUARTERS THIRD MILITARY DISTRICT,

(DEPARTMENT OF GEORGIA, ALABAMA AND FLORIDA,)

ATLANTA, GEORGIA, JUNE 25th, 1868.

GENERAL ORDERS, No. 90.

From the returns made by the Boards of Registration of the election held in the State of Georgia for a Governor, members of the General Assembly and other officers, under the provisions of General Orders No. 40, issued from these Headquarters, which election commenced on the 20th day of April, 1868, and continued four days, it appears :

1st. That, at said election, Hon. R. B. Bullock received a majority of all the votes cast for Governor of the State of Georgia.

2d. That at said election, the following named persons were elected Senators in the General Assembly, of said State, from the respective Senatorial Districts in which they were chosen, to wit :

1st Dist. A. A. Bradley.	23d Dist. W. J. Anderson.
2d " T. G. Campbell, Sr.	24th " B. B. Hinton.
3d " E. D. Graham.	25th " E. I. Higbee.
4th " J. M. Colman.	26th " A. D. Nunnally.
5th " N. Corbitt,	27th " John Harris.
6th " Joshua Griffin.	28th " W. F. Jordan.
7th " M. C. Smith.	29th " Josiah Sherman.
8th " B. F. Bruton.	30th " J. H. McWhorter.
9th " R. T. Nisbet.	31st " Wm. F. Bowers.
10th " F. O. Welch.	32d " J. C. Richardson.
11th " C. B. Wooten.	33d " A. M. Stringer.
12th " C. R. Moore.	34th " Milton A. Candler.
13th " William B. Jones.	35th " William T. Winn.
14th " John J. Collier.	36th " W. C. Smith.
15th " W. T. McArthur.	37th " W. W. Merrell.
16th " H. Hicks.	38th " Walker Brock.
17th " McWhorter Hun-	39th " A. W. Holcombe.
gerford.	40th " C. J. Wellborn.
18th " Benjamin Conley.	41st " John Dickey.
19th " Joseph Adkins.	42d " John T. Burns.
20th " George Wallace.	43d " Joel C. Fain.
21st " William Griffin.	44th " B. R. McCutchen.
22d " T. J. Speer.	

By order MAJOR GENERAL MEADE :

R. C. DRUM,
Assistant Adjutant General.

Official :

GEORGE MEADE, A. D. C.

The Secretary then proceeded to call the roll, when the following Senators, elect, answered to their names, to-wit:

1st Dist.	A. A. Bradley.	23d Dist.	W. J. Anderson.
2d "	T. G. Campbell, Sr.	24th "	B. B. Hinton.
4th "	J. M. Colman.	25th "	E. I. Higbee.
5th "	N. Corbitt.	26th "	A. D. Nunnally.
6th "	Joshua Griffin.	27th "	John Harris.
7th "	M. C. Smith.	28th "	W. F. Jordan.
9th "	R. T. Nisbet.	29th "	Josiah Sherman.
10th "	F. O. Welch.	30th "	J. H. McWhorter.
11th "	C. B. Wooten.	31st "	Wm. F. Bowers.
12th "	C. R. Moore.	32d "	J. C. Richardson.
13th "	Wm. B. Jones.	33d "	A. M. Stringer.
14th "	John J. Collier.	34th "	Milton A. Candler.
15th "	W. T. McArthur.	35th "	Wm. T. Winn.
16th "	H. Hicks.	36th "	W. C. Smith.
17th "	McW. Hungerford.	37th "	W. W. Merrell.
18th "	Benjamin Conley.	39th "	A. W. Holcombe.
19th "	Joseph Adkins.	40th "	C. J. Wellborn.
20th "	George Wallace.	42d "	John T. Burns.
21st "	William Griffin.	43d "	Joel C. Fain.
22d "	T. J. Speer.	44th "	B. R. McCutchen.

Not present, Messrs. Graham, of the 3d District, Bruton, of the 8th District, Brock, of the 38th District, and Dickey, of the 41st District.

The Secretary was then directed to call the roll, and Senators requested to present themselves and take the oath of office.

Mr. Holcombe, from the 39th District, enquired of the Chairman whether objections to the qualification of any Senator could, at this juncture, be entertained.

The Chairman decided in the negative, and the call of the roll was proceeded with.

The following Senators presented themselves and took the oath of office, which was administered by the Hon. John Erskine, Judge of the District Court of the United States for the Northern District of Georgia, viz:

Messrs. Adkins, Anderson, Bradley, Bowers, Burns, Campbell, Colman, Corbitt, Collier, Conley, Candler, Fain, Joshua Griffin, William Griffin, Hungerford, Hicks, Hinton, Higbee, Harris, Holcombe, Jones, Jordan, Moore, McArthur, McWhorter, Merrell, McCutchen, Nisbet, Nunnally, Richardson, M. C. Smith, W. C. Smith, Speer, Sherman, Stringer, Welch, Wooten, Wallace, Winn and Wellborn.

The Chairman then ordered an election for President of

the Senate, Senators voting *viva voce* on the call of their names.

The following was the result :

The Hon. Benjamin Conley, of the 18th District, received twenty-three votes.

The Hon. C. B. Wooten, of the 11th District, received thirteen votes.

The Hon. C. R. Moore, of the 12th District, received one vote.

The Hon. John Harris, of the 27th District, received one vote.

The Hon. Benjamin Conley, having received a majority of all the votes cast, was, by the Chairman, declared duly elected President of the Senate.

The election of a Secretary of the Senate was next ordered and proceeded with.

The following was the result :

A. E. Marshall, Esq., of the county of Fulton, received twenty-five votes.

L. N. Trammell, Esq., of the county of Gordon, received fifteen votes.

During the period of voting for Secretary, the Hon. T. J. Speer, announced the fact that Mr. Trammell, was not a candidate.

A. E. Marshall, Esq., having received a majority of all the votes cast, was declared duly elected Secretary of the Senate.

The Chairman appointed a committee consisting of the Honorables John Harris, C. B. Wooten, and C. R. Moore, to inform the Hon. Benjamin Conley, of his election as President of the Senate, and conduct him to the Chair.

The duty was performed, and, before taking his seat, the President addressed the Senate as follows :

SENATORS—I have to return my grateful acknowledgments for the honor you have conferred upon me, and to assure you of my deep appreciation of the importance of the functions which have devolved upon me by your choice. Conscious of the arduous duties of the position, I have to ask your co-operation in their performance, and your indulgent judgment whenever I should fail to fulfill your expectations. We have met under circumstances such as have surrounded no previous Legislature in Georgia. A large portion of our people who have hitherto been held in a state of bondage and inferiority, have been admitted to a participation in the Government. Diverse opinions prevail as to the propriety, the rightfulness and wisdom of the policy which has conferred the ballot and the right to choose their law-makers upon this

class of our population. But how it has been done, or by whose volition, the fact remains irrevocable and irreversible. And the day is not far distant when no party will desire to have what has been done, undone: when one political party shall be as eager as the other to obtain votes, no matter from quarter, and to conciliate voters, no matter of what complexion.

Republicans have already acknowledged the great principle that every man has a right to participate in a government instituted for the benefit of every man, and it is to be hoped that the doctrine will soon find none to gainsay it. The convening of this Legislature marks a dawn of a new day in the history of the State, and it depends much on you, Senators, whether it shall be an era of progress, enlightenment and prosperity, or one of continued gloom, confusion and depression.

It will be for you, in conjunction with the other branch of the Legislature and with the Executive, to decide whether the vast resources of the State shall remain unproductive and unemployed, or whether the blight, brought upon us by the war and its causes, shall disappear before a new and more vigorous growth. Let me exhort you, then, by wise, economical, and yet liberal legislation, to give impulse to enterprise, security to property, and stability and effectiveness to law, laying aside, in the performance of your momentous functions, all personal, party and selfish considerations,—strive for the good of the whole people, and keep in mind and be governed by the noble motto of our State—"Wisdom, Justice, Moderation."

The Governor elect, then withdrew from the Senate Chamber with his assistants, when, on motion of Mr. McWhorter, the Senate took a recess for half an hour.

The time of recess having elapsed, the Senate was called to order by the President, and, on motion of Mr. Nunnally, adjourned until Monday, 10 o'clock, A. M.

SENATE CHAMBER,
ATLANTA, GEORGIA,
MONDAY, JULY 6th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Prettyman.

The journal of Saturday was read and confirmed.

The Hon. E. D. Graham, Senator elect from the 3d District, and the Hon. John Dickey, Senator elect from the 41st District, appeared and presented themselves at the bar of the Senate, to be qualified.

Mr. Candler, from the 34th District, raised the point of order that members should be qualified by a Judge of the Supreme or Superior Court. The President put the point of order to the Senate, who decided that the President should qualify the members, whereupon, Senators Graham and Dickey were qualified and took their seats.

Mr. Harris, from the 27th District, offered the following :

Resolved, That the Senate proceed to complete its organization by the election of other officers prescribed by the Code.

Mr. Speer, from the 22d District, offered the following as a substitute to the resolution of Mr. Harris :

Resolved, That the Senate proceed to the election *viva voce*, of a Sergeant-at-Arms, Messenger and Door-keeper.

Mr. Speer then moved the previous question, which was sustained.

The question was then put, on adopting the substitute of Mr. Speer, which motion prevailed, and the substitute of Mr. Speer was then adopted.

Mr. Holcombe, from the 39th District, moved to reconsider the foregoing resolution, which motion was agreed to.

Mr. Harris, from the 27th District, moved to amend, by striking out the word Sergeant-at-Arms, which was sustained.

The resolution as amended, was agreed to.

On motion of Mr. Candler, the Secretary elect was duly qualified.

The Senate then proceeded to the election of a Door-keeper, and, upon taking the vote *viva voce*, it appeared that Mr. E. Thorn had received a majority of the votes cast, and he was declared duly elected.

The Senate then proceeded to the election of a Messenger, and, upon taking the vote *viva voce*, it appeared that A. J. Cameron had received a majority of all the votes cast, and was declared elected.

Mr. Adkins, from the 19th District, offered the following resolution, to-wit:

Resolved, by the Senate, that the President be authorized to request some one of the different pastors of the city of Atlanta, alternately, to perform the duties of chaplain to this body, and, failing to obtain some one of the several pastors of the churches of this city, to request one of its Honorable Senators, who are clergymen.

Mr. Winn, from the 25th District, offered the following as a substitute in lieu of the original, to-wit:

Resolved, That the Senate be opened each morning with prayer, and that the President of the Senate request the pastors of the churches in this city to officiate.

Mr. Speer, from the 22d District, offered the following, as a substitute to the original and substitute, which was disagreed to, to-wit:

Resolved, That a committee of three be appointed by the President, whose duty it shall be to procure the clergy of the city and Senate to officiate as chaplains of the Senate.

On motion, the substitute offered by Mr. Winn, was disagreed to.

On motion, the resolution was adopted.

Mr. Higbee, from the 25th District, moved that the Secretary be directed to inform the House of Representatives that the Senate had been organized by the election of the Hon. Benjamin Conly, Senator elect from the District, as President, and A. E. Marshall, Esq., of the county of Fulton, as Secretary, and is now ready to proceed to business, which was agreed to.

Mr. Wooten, from the 11th District, offered the following resolution, to-wit:

Resolved, That a committee be appointed, consisting of three, and that said committee, together with such committee as may be appointed by the House of Representatives, wait on Provisional Governor R. B. Bullock, and inform him that both Houses of the Legislature are now organized and ready to receive such message and other documents as it may be proper to transmit to them.

Mr. Higbee offered the following, as a substitute, which was agreed to in lieu of the original, to-wit:

Resolved, That a committee of two be appointed, to join such committee as may be appointed by the House of Representatives, to wait upon his Excellency, the Governor, and inform him that both branches of the General Assembly are now organized, and will be pleased to receive any communication he may think proper to make.

The committee appointed under the above resolution, consists of Messrs. Wooten and Campbell.

On motion, the Secretary was directed to transmit the foregoing resolution, forthwith, to the House of Representatives.

Mr. Harris offered the following resolution to-wit:

Resolved, That a committee of three be appointed to draft rules for the government of the Senate.

Mr. Candler offered the following, as a substitute, which was disagreed to, to-wit:

Resolved, That the rules of the Senate of Georgia, of the year 1865, be adopted for the government of the Senate.

On motion, the original resolution was adopted.

The committee appointed under the above, consists of Messrs. Harris, Speer and Candler.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Tuesday, July 7th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Prettyman.

The Journal of Monday was read and confirmed.

Mr. Wooten, from the 11th District, offered the following:

Resolved, That reporters for the press be admitted to seats on the floor of the Senate.

Mr. Higbee, from the 25th District, offered the following as a substitute for the resolution of Mr. Wooten, which was adopted:

Resolved, That seats on this floor be tendered to the different reporters of newspapers, to members and ex-members of Congress, to Governors and ex-Governors of States, and Judges of the Supreme, Superior, and District Courts during their stay in Atlanta.

Mr. Bruton, Senator elect, from the 8th District, appeared at the bar of the Senate to be qualified.

Mr. Candler, raised the point of order that Senators should be qualified by Judges of the Supreme or Superior Courts, and moved that the member presenting himself for qualification be sworn accordingly.

The President stated, that while he was satisfied that he

was authorized under the law, to administer oaths to members, he had no preference in the matter, and would in the absence of the United States District Judge, call upon the United States Commissioner to administer the oath to such members as had not been already qualified by the Hon. Mr. Erskine.

Accordingly, the following Senators elect, were sworn in by Hon. Mr. Dunning, United States Commissioner, to-wit: Messrs. Bruton, Graham and Dickey.

Mr. Speer, from the 22d District, offered the following:

Resolved, That the Secretary of the Senate place the names of Senators on a slip of paper in a hat, and draw therefrom a name and continue to do so, until all are drawn, and when a Senator's name is called, he shall proceed immediately to select his seat. Adopted.

Mr. Nunnally, from the 26th District, offered the following:

WHEREAS, it is represented to this Senate that Aaron A. Bradley, the person returned as the duly elected Senator from the first Senatorial District, is disqualified by the Constitution of this State from holding the said office of Senator, and of sitting as a member of this body, for the reason that he has been duly and legally convicted of felony,

It is therefore ordered, that a committee of five be appointed to examine into the above stated allegations, and the facts which may be submitted in support of them, and all other evidence which may be submitted in the case, and to report as soon as practicable to this body, with such recommendations as they may deem proper thereon.

Mr. Adkins moved, as an amendment, to refer the question to the Committee on Privileges and Elections.

Mr. Higbee, from the 25th District, moved that the resolution and amendment be laid on the table.

A division being called for, the motion to lay on the table, was lost.

Mr. Higbee then moved that the resolution be postponed until Thursday next, but afterwards withdrew it.

Mr. Candler moved the previous question, which was sustained.

The main question, as offered by Mr. Nunnally, was ordered.

Mr. Higbee moved to adjourn until to-morrow morning 10 o'clock. Not agreed to.

The question recurring, as offered by Mr. Nunnally, from the 26th District, was next in order, and the resolution adopted.

The President appointed Messrs. Nunnally, Higbee, Campbell, Winn and Speer, a committee on the investigation.

Mr. Harris, from the 27th District, as chairman of the committee on rules for the government of the Senate, submitted the following, which was read :

RULES FOR THE GOVERNMENT OF THE SENATE.

Resolved, That the rules and orders following be, and they are, hereby adopted as standing rules and orders of the Senate, and they shall be read at the commencement of each session of the General Assembly, by the Secretary :

1. The President shall take the chair every day at the hour to which the Senate shall have adjourned, and after prayer shall immediately call the Senate to order, and if a quorum be present, proceed to business, as follows :

2. 1st. Presentation of petitions.

2d. Reports of standing committees.

3d. Reports of select committees.

4th. Messages from the Governor.

5th. Messages from the House of Representatives.

6th. Introduction of bills on Mondays, Wednesdays and Fridays of each week.

7th. Reading of bills first and second times on Tuesdays and Thursdays of each week.

8th. Motions and resolutions.

9th. Special orders.

10th. General orders ; but messages from the Governor, and House of Representatives, and reports from the Committees on Enrollment may be received under any order of business.

3. The President shall preserve order, and shall decide questions of order without debate, subject to an appeal to the Senate ; he shall rise to put a question, but may state it sitting ; the question first moved and seconded shall be the first put, and in all cases the sense of the Senate shall be taken upon the largest number or sum, and the longest time proposed.

4. No member shall in any way interrupt the business of the Senate while the Journal or public papers are in reading, nor when any member is speaking in debate, nor while the President is putting the question.

5. When any member is about to speak in debate, or deliver any matter to the Senate, he shall rise and respectfully address, Mr. President ; if two or more rise at once, the President shall name the member who is first to speak.

6. No member shall speak more than twice upon the same question, without leave of the Senate, unless to explain.

7. When a question is under debate, the President shall receive no motion, but to adjourn, to lay on the table, to postpone to a day certain, to commit, to amend, or to postpone indefinitely, which several motions shall have precedence in the order in which they stand arranged: the motions to adjourn, to lay on the table, to take from the table, and for the ayes and nays, shall be decided without debate.

8. If the question in debate contains several points, any member may have the same decided.

9. When the ayes and nays shall be called for by one-fifth of the members present, each member called upon, shall, (unless for special reason be excused by the Senate) declare openly his assent or dissent to the question.

10. When a motion is made and seconded it shall be stated to the Senate by the President before any debate be had thereon, but every motion shall be reduced to writing if the President so direct, or any member desire it.

11. All committees shall be appointed by the President unless the Senate order otherwise.

12. When a motion has been stated by the President, or read by the Secretary, it shall be considered to be in possession of the Senate, but may be withdrawn at any time before decision or amendment, but not after amendment, unless the Senate give leave.

13. No member who is interested in the decision of any question in such manner that he cannot vote, may stay in the Senate when such question is discussed or decided: *Provided, however,* That this rule shall not extend to sitting members in contested elections.

14. When the Senate has voted to appoint a committee to prepare a bill or resolve, upon any subject, no person shall be on such committee who was opposed to the vote of the Senate.

15. If any member, in speaking or otherwise, shall transgress the rules of the Senate, the President shall; and any member may, call to order, and if speaking, he shall sit down, unless permitted to explain; the Senate, if appealed to, shall decide the question without debate.

16. When a question shall have been once decided, it shall be in order for any member to move for a reconsideration thereof on the next day of actual session of the Senate, notice of which shall be given at the reading of the journal.

17. Before any petition or memorial addressed to the Senate shall be received and read at the table, whether the same shall be introduced by the President or a member, a

brief statement of the contents or object of the petition or memorial shall be verbally made by the introducer.

18. All questions shall be put by the President of the Senate, and the Senators shall signify their assent or dissent by answering, *viva voce*, "aye" or "no." And, whenever the vote shall be doubtful or questioned, it shall be determined by the members rising.

19. The following Standing Committees shall be appointed at the commencement of the first session, to-wit :

Committee on Privileges and Elections.

Committee on Petitions.

Committee on Enrollment.

Committee on Journals.

Committee on the state of the Republic.

Committee on Judiciary.

Committee on Finance.

Committee on Internal Improvement.

Committee on General Education.

Committee on Banks.

Committee on the Penitentiary.

Committee on the Lunatic Asylum.

Committee on Military.

Committee on Printing.

Committee on Deaf and Dumb Asylum.

Committee on the Institution of the Blind.

Committee on Agriculture.

Committee on Auditing.

Committee on Engrossing.

Committee on Public Buildings.

20. The President shall have the right to name a member to perform the duties of the chair, but such substitution shall not extend beyond three days.

21. In the absence of the President, or if the member substituted by him shall be absent at the hour designated in Rule No. 1, the Secretary shall call the Senate to order, and shall preside until a President *pro tempore* shall be elected, which shall be the first business of the Senate.

22. No persons, other than officers of the State, members and officers of the Senate and Assembly, unless on invitation of the President, or by vote of the Senate, shall be admitted within the bar.

23. Any rule or order may be altered, dispensed with, or rescinded, two-thirds of the members present consenting thereto.

JOHN HARRIS,
Chairman.

On motion of Mr. Adkins, from the 19th District, one hundred copies of the report was ordered to be printed.

Mr. Hungerford, from the 17th District, moved that the matter of printing for the Senate be left in charge of the Secretary until further action of the body shall be taken thereon, which was agreed to.

On motion of Mr. Higbee, the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Wednesday, July 8th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by Rev. Mr. Smith, the Honorable Senator from the 7th District.

The Journal of the previous day was read and approved.

The following Message was received from the House of Representatives, by Mr. Hardin, their Clerk :

Mr. President: I am instructed by the House of Representatives, to inform the Senate that they have organized by the election of Hon. R. L. McWhorter, of Greene, as their Speaker, and Mark A. Hardin, of the county of Bartow, as their Clerk, and are now ready to proceed to business.

They have appointed the Hons. E. Tweedy, W. T. McCullough and A. A. Lee, to join such committee as may be appointed by the Senate to wait upon His Excellency, R. B. Bullock, and inform him that both Houses, having organized, are ready to receive any communications he may have to make.

On motion of Mr. Speer, the rules for the government of the Senate, as reported on yesterday, were taken up.

Mr. Speer offered the following, in lieu of Rule No. 1, as reported by the committee, to-wit :

The President shall take the chair every day, at the hour to which the Senate shall have adjourned, and, after prayer, the roll of Senators shall be called, the Journal of the previous day read, and, if a quorum be present, proceed to business.

Mr. Adkins, from the 19th District, offered the following, as a substitute, which was adopted, to-wit :

The President shall take the chair every day at the hour to which the Senate shall have adjourned, and, after prayer,

shall immediately call the Senate to order, and, if a quorum present, after calling the roll and reading the Journal of the previous day, proceed to business in the regular order prescribed under the rules following.

The Rules as reported by the committee, from No. 2, to No. 17, were then taken up and adopted.

Mr. Higbee moved to amend Rule No. 18, as reported by the committee, by inserting, after "committees," on the first line, the words, "to consist of seven members each," which was agreed to.

Mr. Smith, from the 36th District, moved to amend Rule No. 18, as reported by the committee, on the last line, by adding, after the word "agriculture," and manufactures, which was agreed to.

Rules from No. 19 to 22, as reported by the chairman of the committee, were then taken up and adopted.

Mr. Wallace offered the following resolution, which was adopted, to-wit:

Resolved, That "Cushing's Manual" be authority for all points not herein provided for.

Mr. Holcombe, moved the adoption of the Rules as a whole; which was agreed to.

Mr. Speer offered the following resolution, to-wit:

Resolved, That the Secretary have one hundred and fifty copies of the Rules for the government of the Senate, as amended, printed for the use of the Senate, and that the names of the Senators and their boarding houses, post offices and districts, be added to the same.

Mr. Higbee moved that the three hundred copies of the Rules, as adopted by the Senate, be printed, which was not agreed to.

On motion, the resolution as offered by Mr. Speer, was adopted.

Mr. Winn offered the following, as additional to the Rules already adopted by the Senate, which was lost, to-wit:

All nominations, by the Governor, of persons to office, sent to the Senate for confirmation, shall lay over three days, before any action is taken thereon.

Mr. Hungerford offered the following resolution, to-wit:

WHEREAS, William T. Winn, of the 35th Senatorial District, a duly elected Senator to this body, is not eligible to any office under the third section of the Omnibus Bill, he having been Mayor of the city of Marietta, before and during the war, and also gave aid and comfort to the enemies of the United States, by money and otherwise, contrary to the laws in such cases made and provided. Therefore,

Resolved, That the Special Senate Committee on Eligible

Membership are hereby instructed to send for persons and papers and investigate the right of W. T. Winn, and others, to sit and act as a Senator for the State of Georgia.

Mr. Speer, from the 22nd District, offered the following as a substitute, to-wit:

Resolved, That a special committee of three be appointed by the President of the Senate, to inquire into the eligibility of E. D. Graham, Senator from the 3rd District, C. R. Moore, from the 12th District, W. T. Winn, of the 35th District, and any others, under the Reconstruction Acts of Congress, with power to send for persons and papers.

Mr. Harris moved to refer the original and the substitute to the Committee on Privileges and Elections, and called for the previous question, which was sustained.

The main question was then ordered, and the motion of Mr. Harris was agreed to.

Mr. Candler, from the 34th District offered the following resolution, to-wit:

WHEREAS, It is charged that the Hon. John Harris, sitting Senator from the 27th District, is not entitled to his seat as such, because he was a member of the General Assembly of the State of Georgia, prior to the late war, and afterwards participated in the same. That William B. Jones, sitting Senator from the 13th District, is not entitled to his seat, because he is a defaulter for public money, and also was Sheriff of Macon county, prior to the war of the rebellion, and afterwards participated in the same. That George Wallace, sitting Senator from the 20th District, T. G. Campbell, Sr., sitting Senator from the 2nd District, and A. A. Bradley, sitting Senator from the 1st District, are persons of color, and as such not entitled to their seats under the Constitution. Therefore,

Resolved, That the Committee on Privileges and Elections, be directed to inquire into the right of the several sitting members mentioned, to their seats as Senators, and report at the earliest day possible.

By permission, Mr. Wooten informed the Senate that information had been received from the Governor that matter for the consideration of the body would be transmitted to-morrow morning.

Pending the consideration of the resolution of Mr. Candler on motion of Mr. Hungerford, the Senate adjourned until to-morrow morning, at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Thursday, July 9th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Ketchum.

The Journal of the preceeding day was read and approved.

The Hon. Walker Brock, Senator elect, from the 38th District, appeared at the bar of the Senate, and was duly qualified by United States Commissioner, James L. Dunning.

Mr. Welch, from the 10th District, gave notice that he would move a reconsideration of so much of the Journal of yesterday as relates to the reference to the Committee on Privileges and Elections, of the resolution offered by Mr. Hungerford, and the substitute to the same, offered by Mr. Speer, concerning the eligibility of certain Senators therein specified to seats in this body.

Mr. Welch, in accordance with previous notice, moved to reconsider the action of the Senate referred to.

The motion to reconsider prevailed.

Mr. Welch, then moved to lay the whole subject on the table, which was agreed to.

The Senate then resumed the unfinished business of yesterday, the same being the resolution of Mr. Candler, in regard to the eligibility of certain members to their seats,

Mr. Bradley having the floor.

After debate, Mr. Sherman, from the 29th District, moved to strike out of the resolution offered by Mr. Candler, all that part that relates to Senators T. G. Campbell, A. A. Bradley, and George Wallace.

Mr. Hungerford then moved to lay the resolution and amendment on the table, which motion prevailed.

Mr. Candler presented a memorial to the Senate, from W. H. Maddox, contesting the seat of Mr. McWhorter, from the 30th District.

Mr. Candler moved to refer the memorial to the Committee on Privileges and Elections.

Mr. Hungerford, moved to lay on the table, which was carried.

Mr. Winn, from the 35th District, moved that the Senate take a recess of fifteen minutes, which was agreed to.

On reassembling, on motion of Mr. Speer, the Senate adjourned until to-morrow morning, 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Friday, July 10th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Brantley, D. D.

The Journal of the preceding day was read and approved.

A message was received from his Excellency, Rufus B. Bullock, Provisional Governor of Georgia, through his Secretary, Mr. deGraffenried.

On motion of Mr. Harris, the message was read, and is as follows:

Mr. President: I am directed by his Excellency, the Provisional Governor to transmit to this branch of the General Assembly a communication in writing, with accompanying documents:

EXECUTIVE OFFICE,

PROVISIONAL GOVERNOR,

State of Georgia,

ATLANTA, July 9th, 1868.

To the Senate and House of Representatives:

A joint committee of the General Assembly having informed me that an organization of the two Houses had been perfected by the election of officers, the fact was promptly communicated to the General Commanding the District, asking instructions.

The following communication has this morning been received, to which, with the Order No. 52, referred to, your careful attention is invited:

HEADQUARTERS, THIRD MILITARY DISTRICT.

(Georgia, Florida and Alabama.)

ATLANTA, GEORGIA, July 8, 1868.

To his Excellency, R. B. Bullock, Provisional Governor of Georgia:

GOVERNOR: I have to acknowledge the receipt of your letter of this date, advising me that you have been officially informed that the two Houses of the Legislature had perfected their organization, and were awaiting any communication you might have to make, and that accordingly you referred to me for instructions.

In reply, I beg leave to state, that I have no instructions

to give you, further, than to make known that, in my judgment, neither House is organized legally until they have complied with the requisitions of the Reconstruction Acts, and the act which became a law, June 25, 1868, all of which prohibit any one holding an office, under the State, who is excluded by Section 3 of the Amendment to the Constitution, known as Article 14.

That this view is not a novel one with me, and does not arise from any consideration but my desire to execute the laws, will be clearly seen by reference to the accompanying General Order No. 52, of April 6th, 1868, in which I announced to the people of Georgia, and candidates for election, my views of the eligibility of candidates under the laws of Congress. It is not my purpose to dictate to the two Houses, how or when, they will apply this test to the several members. Ordinarily each House is the undoubted judge of the qualification of its members, but in view of the fact that the Legislature, until the State is admitted by compliance with the requisitions of the acts of Congress, is only provisional, and subject to the authority of the District Commander; and in view of the further fact, that it is my duty, so long as military government exists, to see that the laws be faithfully executed; I feel constrained to say that I cannot recognize any act of the Legislature as valid, nor allow the same to be executed, until satisfactory evidence is produced, that all persons excluded by the 14th Article are deprived of their seats or offices in both Houses. You have been furnished from these headquarters, for transmission to the respective Houses, the documents in the cases of several members whose seats are contested on this ground, and there is, doubtless, other information upon the same subject.

My only object now is, that you may communicate these views to both Houses, leaving to each to take such action as it may deem suitable and proper.

Very Respectfully,

Your obedient Servant,

GEO. G. MEADE,
Major General Commanding.

HEADQUARTERS, THIRD MILITARY DISTRICT,
(*Department of Georgia, Florida and Alabama,*)

ATLANTA, GEORGIA, April 6, 1868.

General Orders, No. 52.

I.—WHEREAS, The Constitutional Convention of the State of Georgia, recently in session, in this city, did on the 10th

day of March, 1868, adopt an Ordinance, entitled "An Ordinance to provide for the election of civil officers," which Ordinance, among other things, provides :

"That an election be held, beginning on the twentieth day of April, 1868, (at such places as may be designated by the Commanding General of the District,) for voting on ratification of the Constitution, for the election of Governor, members of the General Assembly, Representatives to the Congress of the United States, and all other officers to be elected as provided in this Constitution, and said election to be kept open from day to day, at the discretion of the General Commanding.

"And at said election on the ratification of the Constitution, and for Governor, members of Congress, members of the General Assembly, and all other civil officers, the qualifications for voters shall be the same as prescribed by the Act of Congress, known as the Sherman Bill, for voters at the election on the ratification of the Constitution, and at all elections under the Provisional Government. And Major General Meade is respectfully requested to give the necessary orders to carry into effect the foregoing provisions, and cause due returns to be made and certificates of election to issue by the proper officers. But this ordinance shall not apply to Justices of the Peace, who shall be elected at such time as shall be provided for by the first General Assembly, until otherwise provided by law."

II.—As by the provisions of said Ordinance the Commanding General is requested to cause certificates of election to be issued to those persons who may be elected to said offices, and that he may not be called upon to cause certificates of election to be issued to persons ineligible to hold office, he calls the attention of all concerned to the provisions of Section 3, of the amendment to the Constitution of the United States, proposed by Congress, and designated as the 14th Article, which section he deems under the Reconstruction Acts, applicable to the election of officers provided for by said Ordinance, and is as follows :

"SEC. 3. No persons shall be a Senator, or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the ene-

mies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability."

Attention is also called to the 6th Section of the Supplementary Reconstruction Act of Congress, which passed July 19th, 1867, in which it is declared that "the words 'executive or judicial officer in any State' shall be construed to include all civil offices created by law for the administration of any general law of a State, or for the administration of justice."

III—The following are the officers to be elected at the approaching election in the State of Georgia, under the provisions of the foregoing ordinance and the act of Congress authorizing the election, to-wit:

A Governor of the State, Senators and Representatives in the General Assembly, and for each county in the State, a Clerk of the Superior Court, Ordinary, Sheriff, Tax Collector, Tax Receiver, Treasurer, Coroner and Surveyor.

Also, seven members of the House of Representatives of the United States Congress, being one member to be elected from each of the Congressional Districts in the State, as established by an Ordinance of said Constitutional Convention, entitled, "An Ordinance to establish Congressional Districts," adopted March 6, 1868.

By order of Major General Meade,

S. F. BARSTOW,

Acting Assistant Adjutant General.

OFFICIAL:

A. D. C.

It will be observed, that until proper measures have been taken and perfected to ascertain the eligibility of each Senator, Member and Officer, no legal act can be done by your body; only such as are eligible being legal Senators, Members and Officers.

In view of the foregoing I would respectfully recommend that a committee be appointed in each House for the investigation of the facts in the case of each Senator, Member or Officer. Under the act of Congress, which became a law June 25, 1868, no person is eligible who, previous to the rebellion, held an office, and took an official oath to support the Constitution of the United States, and afterwards gave aid or comfort to the enemies of the United States, unless such person shall have been relieved of that disability by act of Congress, and a careful investigation should be made that the authorities may be satisfied that the laws have been complied with. It will be remembered that the question as

to whether the Constitutional Amendment, known as Article 14, is of force, does not apply, because the act of Congress under which you have been convened, specially fixes the qualification referred to.

This act of Congress is herewith transmitted in General Order No. 34, from the Headquarters of the Armies of the United States.

RUFUS B. BULLOCK,
Provisional Governor.

HEADQUARTERS OF THE ARMY,

Adjutant General's Office,

WASHINGTON, July 2, 1868.

General Orders No. 34.

The following act of Congress is published for the information and government of all concerned :

[PUBLIC—No. 44.]

AN ACT to admit the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama, and Florida, to representation in Congress.

WHEREAS, the people of North Carolina, South Carolina, Louisiana, Georgia, Alabama, and Florida, have in pursuance of the provisions of an act entitled "An act for the more efficient government of the rebel States," passed March second, eighteen hundred and sixty seven; and the acts supplementary thereto, framed constitutions of State government which are republican, and having adopted constitutions by large majorities of the votes cast at the elections held for the ratification or rejection of the same: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama and Florida; shall be entitled and admitted to representation in Congress as a State of the Union when the Legislature of such State shall duly ratify the amendment to the Constitution of the United States proposed by the Thirty-ninth Congress, and known as Article Fourteen, upon the following fundamental conditions: That the constitutions of neither of said States shall ever be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote in said State, who are entitled to vote by the constitution thereof herein recognized,

except as a punishment for such crimes are now felonies at common law, whereof they shall have been duly convicted under laws equally applicable to all the inhabitants of said State: *Provided*, That any alteration of said constitution may be made with regard to the time and place of residence of voters; and the State of Georgia shall only be entitled and admitted to representation upon this further fundamental condition: that the first and third sub-divisions of Section 17 of the 5th Article of the constitution of said State, except the proviso to the first sub-division, shall be null and void, and that the General Assembly of said State, by solemn public act, shall declare the assent of the State to the foregoing fundamental condition.

SEC. 2. *And be it further enacted*, That, if the day fixed for the first meeting of the legislature of either of said States by the constitution or ordinance thereof, shall have passed, or have so nearly arrived before the passage of this act, that there shall not be time for the legislature to assemble at the period fixed, such legislature shall convene at the end of twenty days from the time this act takes effect, unless the governor elect shall sooner convene the same.

SEC. 3. *And be it further enacted*, That the first section of this act shall take effect as to each State, except Georgia, when such State shall, by its Legislature, duly ratify Article 14 of the amendments to the Constitution of the United States, proposed by the Thirty-ninth Congress, and as to the State of Georgia when it shall, in addition, give assent of said State to the fundamental condition hereinbefore imposed upon the same; and thereupon the officers of each State duly elected and qualified under the constitution thereof, shall be inaugurated without delay, but no person prohibited from holding office under the United States, or under any State, by Section 3 of the proposed amendment to the Constitution of the United States, known as Article 14, shall be deemed eligible to any office in either of said States, unless relieved from disability as provided in said amendment; and it is hereby made the duty of the President within ten days after receiving official information of the ratification of said amendment by the legislature of either of said States to issue a proclamation announcing that fact.

SCHUYLER COLFAX,

Speaker of the House of Representatives.

B. F. WADE,

President of the Senate pro tempore.

IN THE HOUSE OF REPRESENTATIVES, U. S.,

June 25th, 1868.

The President of the United States, having returned to the House of Representatives, in which it originated, the bill entitled "an act to admit the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama, and Florida, to representation in Congress," with his objections thereto, the House of Representatives proceeded, in pursuance of the Constitution, to reconsider the same; and

Resolved, That the said bill do pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

EDWD. MCPHERSON,

Clerk H. R. U. S.

IN SENATE OF UNITED STATES,

June 25, 1868.

The Senate having proceeded, in pursuance of the Constitution, to reconsider the bill, entitled "an act to admit the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama, and Florida, to representation in Congress," returned to the House of Representatives by the President of the United States, with his objections, and sent by the House of Representatives to the Senate, with the message of the President returning the bill:

Resolved, That the bill do pass, two-thirds of the Senate agreeing to pass the same.

Attest:

GEO. C. GORHAM,

Secretary of the Senate.

By command of GENERAL GRANT:

E. D. TOWNSEND,

Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

Mr. Candler reported the following resolution, to-wit:

Resolved, That a special committee of seven members be appointed at once, to take into consideration the message of his Excellency, the provisional Governor, and the documents accompanying the same, as to the eligibility of sitting members under the Constitutional Amendment known as Article

Fourteenth, and also to inquire as to the eligibility of Senators under said amendment, and report to the Senate as early as possible.

Mr. Harris raised the point of order, that the message had not been taken up, and that the resolution of Mr. Candler was not in order.

The Chair sustained the point of order as taken by Mr. Harris.

Mr. Candler then appealed from the decision of the Chair.

The President put the question before the Senate, and was sustained.

Mr. Harris moved to take up the message, which was agreed to.

Mr. Harris then moved to refer the message with accompanying documents, to a special-committee of seven. Agreed to.

The Chair announced under the foregoing, the following committee, to-wit:

Messrs. Harris, Welch, Higbee, Candler, Hicks, Adkins, and Nisbett.

Mr. Harris requested that his name as chairman be substituted by another, which request being granted, the Chair appointed Mr. Smith, of the 7th District, in his stead.

Mr. Candler re-offered his resolution.

Mr. Harris then reported the following resolution as a substitute in lieu of the original as offered by Mr. Candler, to-wit:

Resolved, That the committee on the Governor's message shall proceed to investigate the case of each member of this House, and report the facts in reference to the eligibility of each Senator, under the acts of Congress referred to in the message of his Excellency, the Provisional Governor, and that the said committee have power to send for persons and papers and to swear all witnesses that under the laws of this State, and the United States, are competent witnesses in civil cases, and that the said committee report as soon as practicable.

Mr. Higbee moved to lay the resolution of Mr. Candler, on the table; whereupon the ayes and nays were required to be recorded, and are:

Those voting in the affirmative, are Messrs:

Adkins,	Dickey,	Richardson,
Bowers,	Griffin, 6th Dist.,	Sherman,
Bradley,	Griffin, 21st Dist.,	Smith, 7th District,
Bruton,	Harris,	Speer,
Campbell,	Higbee,	Stringer,
Colman,	Jones,	Wallace,
Corbitt,	McWhorter,	Welch.

Those voting in the negative, are Messrs :

Anderson,	Hinton,	Moore,
Brock,	Holcombe,	Nisbett,
Burns,	Hungerford,	Nunnally,
Candler,	Jordan,	Smith, 36th Dist.,
Collier,	Merrill,	Wellborn,
Fain,	McArthur,	Winn,
Graham,	McCutchen,	Wooten.
Hicks,		

Ayes, 21; nays, 22. So the motion did not prevail.

Mr. Nunnally moved the previous question, which was not sustained.

Mr. Harris moved the adoption of the substitute offered by himself, in lieu of the original; upon which motion, Mr. Speer called for the previous question, which was sustained. The ayes and nays were required to be recorded on the adoption of the substitute.

Those voting in the affirmative, are Messrs :

Adkins,	Dickey,	McWhorter,
Bowers,	Griffin, 6th Dist.,	Richardson,
Bradley,	Griffin, 21st Dist.,	Sherman,
Brock,	Harris,	Smith, 7th District,
Bruton,	Higbee,	Speer,
Campbell,	Jones,	Stringer,
Colman,	Jordan,	Wallace,
Corbitt,	Merrell,	Welch.

Those voting in the negative, are Messrs :

Anderson,	Hinton,	Nisbett,
Burns,	Holcombe,	Nunnally,
Candler,	Hungerford,	Smith, 36th Dist.,
Collier,	McArthur,	Wellborn,
Fain,	McCutchen,	Winn,
Graham,	Moore,	Wooten.
Hicks,		

Ayes, 24; nays, 19. So the substitute was adopted.

The substitute of Mr. Harris was then finally adopted.

Mr. Winn, by permission of the Senate, was relieved from acting on the committee for the investigation of certain charges preferred against the Senator from the 1st District.

The Chair substituted Mr. Anderson, of the 28rd District, in place of Mr. Winn.

Mr. Nunnally presented a memorial from J. W. Landrum, in reference to his right to the seat of Mr. Richardson, sitting Senator from the 32nd District.

On motion of Mr. Candler, the memorial was referred to the Committee on Privileges and Elections.

Mr. Wellborn, from the 40th District, reported the following resolution, which was adopted, to-wit:

Resolved, That the Secretary of the Senate be instructed to confer with Mr. L. Carrington, Assistant Clerk of the House of Representatives, who has been empowered by the House to proceed at once to Milledgeville, for the purpose of procuring certain books, and public documents, for the use of the members of the House, and that he arrange with Mr. Carrington to bring on at the same time a sufficient number of the Code of Georgia, Constitution and Ordinances of the Convention, and Acts of the Legislature, to supply each Senator with a copy of each.

A memorial was submitted by the Senator from the 1st District, Mr. Bradley, requesting that a copy of the charges preferred against him be furnished him, together with specifications; also, when and where the crime was committed, and that a reasonable time thereafter be granted him to employ counsel, and send for persons and papers, in defense.

On motion of Mr. Candler, the memorial was referred to the Special Committee on that case.

Mr. Anderson moved to adjourn until to-morrow morning, 10 o'clock.

Mr. Speer moved to amend by inserting "Monday next" to 10 A. M., which was agreed to.

And the Senate stood adjourned until Monday morning, 10 o'clock.

SENATE CHAMBER.

ATLANTA, GEORGIA,

Monday, July 13th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Frazier.

The Journal of Friday was read and approved.

Mr. Higbee reported the following resolution, which was adopted, to-wit:

Resolved, That the Secretary of the Senate be directed to furnish the committee appointed and instructed to inquire into the eligibility of Senators, with all documents in the cases of several Senators whose seats are contested on the ground of their being excluded by the provisions of Sec-

tion 3d of the Amendment to the Constitution of the United States proposed by Congress, and known as Article 14.

On motion of Mr. Speer, the Senate adjourned until Wednesday morning next at 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Wednesday, July 15th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Smith, Honorable Senator from the 7th District.

The Journal of Monday was read and approved.

Mr. Higbee offered the following resolution, which was adopted, to-wit:

Resolved, That the committee appointed and instructed to inquire into the eligibility of each Senator, be further instructed to inquire into the eligibility of the officers of the Senate.

Mr. Candler offered the following:

Resolved, That the Provisional Governor be requested to transmit to the Senate at once the papers and written evidence, which may be in his possession, having reference to eligibility of enators under what is known as the Constitutional Amendment, Article 14, and that when received, the Secretary of the Senate be directed to turn over the same to the special committee appointed to investigate the eligibility of Senators, under said amendment.

Mr. Higbee moved to amend by striking out the words "at once," which was disagreed to.

Mr. Higbee then moved the previous question, which was sustained.

The main question was then ordered, and the resolution, as offered by Mr. Candler, was adopted.

Mr. Hungerford, moved that the Senate adjourn until Friday morning, 10 o'clock.

Mr. Holcombe, moved to amend, by inserting "Wednesday at 10 o'clock, A. M." Lost.

The motion of Mr. Hungerford, to adjourn until Friday morning, at 10 o'clock, was then put.

Mr. Candler called for the yeas and nays, which were required to be recorded, and are:

Those voting in the affirmative, are Messrs :

Adkins,	Griffin, 6th Dist.	Richardson,
Bradley,	Harris,	Sherman,
Brock,	Higbee,	Smith, 7th Dist.,
Bruton,	Hungerford,	Smith, 36th Dist.,
Campbell,	Jones,	Speer,
Coleman,	Merrell,	Wallace,
Corbitt,	McWhorter,	Welch.
Dickey,		

Those voting in the negative, are Messrs :

Anderson,	Hicks,	Nisbett,
Bowers,	Hinton,	Nunnally,
Burns,	Holcombe,	Stringer,
Candler,	Jordan,	Welborn,
Collier,	McArthur,	Winn,
Fain,	McCutchen,	Wooten,
Graham,	Moore,	

Yeas, 22 ; nays, 20. So the motion prevailed.

The President then declared the Senate adjourned until Friday morning next, at 10 o'clock.

SENATE CHAMBER.

ATLANTA, GEORGIA,

Friday, July 17th, 1868,
10 o'clock, A. M.

The Senate met pursuant to adjournment, and was opened with prayer by Rev. Mr. Hinton, Honorable Senator from the 24th District.

The Journal of Wednesday was read and approved.

The following message was received from his Excellency, Rufus B. Bullock, Provisional Governor, through Mr. deGraffenreid, his Secretary, to-wit :

Mr. President: I am directed by his Excellency, the Provisional Governor, to deliver to the Senate, a communication in writing, with accompanying documents :

OFFICE OF THE PROVISIONAL GOVERNOR OF GEORGIA,
ATLANTA, July 17th, 1868.

To the Senate of the State of Georgia :

In response to your resolution requesting "the papers and written evidence * * * having reference to the eligibil-

ity of the Senators, under what is known as the Constitutional Amendment, Article 14," the papers in the case of *Steadman vs. Harris*, having reference to eligibility, and contesting seats for other reasons, are herewith transmitted. Also, the protest of G. W. Hanserd, against the eligibility of A. W. Holcombe, in which Mr. Hanserd states that he is prepared to sustain his protest by proof.

It is proper for me to say in this connection that I have been unofficially informed of several cases when persons desire to present evidence of the ineligibility of persons who have been declared elected as Senators, but I have avoided taking official cognizance of such matters, believing that the committee appointed by your honorable body would give public notice, and reasonable opportunity for all contestants to prepare and present evidence, and would aid in executing the law by sending for persons and papers.

The records of commissions of the civil officers of the State before and during the war, are now in this office, and subject to examination.

RUFUS B. BULLOCK,
Provisional Governor.

On motion of Mr. Merrell, the message and accompanying documents were taken up and the message read.

On motion of Mr. Candler, the same were laid on the table.

Mr. Smith, chairman of the committee appointed to inquire into and report upon the eligibility of members and officers of the Senate, submitted the following, to-wit:

The select committee, to whom was referred the message of his Excellency, Provisional Governor Bullock, and accompanying documents, report, that they have carefully examined the case of each Senator, and Officer of the Senate, as to their eligibility under Section 3, Constitutional Amendment, Article 14, and find none ineligible; which is respectfully submitted, together with an abstract of the evidence on which they acted.

(Signed)

M. C. SMITH, *Chairman.*
H. HICKS,
R. T. NISBETT,
MILTON A. CANDLER,
F. O. WELCH,
Committee.

Mr. Higbee moved to recommit the report back to the committee, and called for the previous question, which was was not sustained.

After debate, Mr. Adkins moved the previous question, which was agreed to.

The main question was then ordered, the ayes and nays, on motion of Mr. Higbee, were required to be recorded, with the following result, Messrs. Harris and Bowers being excused from voting:

Those voting in the affirmative, are Messrs :

Adkins,	Corbitt,	Merrell,
Bradley,	Dickey,	Sherman,
Brock,	Higbee,	Speer,
Campbell,	Hungerford,	Wallace.
Colman,		

Those voting in the negative, are Messrs :

Bruton,	Hinton,	Nunnally,
Burns,	Jones,	Richardson,
Candler,	Jordan,	Smith, 7th Dist.,
Collier,	McArthur,	Smith, 36th Dist.,
Fain,	McCutchen,	Welborn,
Graham,	Moore,	Winn,
Griffin, 6th Dist.,	Nisbett,	Wooten.
Hicks,		

Ayes, 13; nays, 22. So the motion to recommit was lost.

Mr. Candler moved the adoption of the report as received from the committee.

Mr. Adkins submitted the following, to-wit :

We, whose names are hereto annexed, a minority of your committee to whom was referred the examination into the eligibility of Senators and officers of the Senate beg leave to offer the following report :

We find, after careful examination of the testimony in the cases of Senator Collier, of the 14th District, and Senator Jones, of the 13th District, a barrier to their eligibility in this, that it is clearly proven that each held office before the war, taking the usual oath to support the Constitution of the United States, and afterwards gave aid voluntarily, to the rebellion; it being, in the minds of your committee, thus clearly proven, we respectfully refer Senators to the testimony upon which our conclusions are based, for their own guidance in the premises, and beg to be relieved from further labor on this subject. All of which is respectfully submitted.

(Signed.)

JOSEPH ADKINS.

Mr. Higbee submitted the following, to-wit :

The undersigned, one of the committee appointed to inquire into the eligibility of Senators and officers of the Senate, as determined by the third section of the proposed amendment to the Constitution of the United States, known as Article

Fourteen, reports, that, after careful investigation, he finds the following Senators and officers ineligible, to-wit :

John C. Richardson, B. R. McCutchen, Joshua Griffin, J. J. Collier, Wm. B. Jones, J. H. McWhorter, C. R. Moore, John Harris, E. Thorn, J. G. W. Mills, and E. D. Graham.
E. D. HIGBEE.

Mr. Speer moved the adoption of the majority report.

Mr. Higbee moved the adoption of the minority report as offered by himself, in lieu of the original.

Mr. Adkins moved to amend the substitute of Mr. Higbee, by reading the evidence as produced in each case, and taking a vote as each name is announced, upon which he moved the previous question, which was sustained, and the amendment, as proposed by Mr. Adkins, was lost.

The question recurring upon the substitute of Mr. Higbee, Mr. Higbee called for the ayes and nays, which was not sustained. So the substitute was lost.

Mr. Higbee moved to adjourn until to-morrow morning, 10 o'clock, which was not agreed to.

The question recurring upon the adoption of the majority report of the committee, was ordered to be put, and the report adopted.

Mr. Speer offered the following, to-wit :

Resolved, That a committee of three be appointed by the President, to inform his Excellency, R. B. Bullock, Provisional Governor, that the Senate has adopted the majority report of the committee, upon the eligibility of Senators, in accordance with a communication from him, and an order from General Meade, and have declared all the Senators eligible, and are now prepared to receive any communication he may make.

Mr. Harris offered the following as a substitute, to-wit :

Resolved, That the action of the Senate on the report of the committee on the eligibility of its members, together with the report and the testimony accompanying the report, be communicated to his Excellency, the Provisional Governor, and through him, to Major General Meade, informing his Excellency that the Senate, having investigated the eligibility of its members, ask his approval of their action, and if approved, the Senate report itself duly organized and ready to proceed to business, and receive any communication his Excellency may be pleased to make.

Mr. Adkins called for the previous question, which was sustained.

The main question being upon the substitute of Mr. Harris, was then ordered to be put, and the substitute was agreed to.

On motion of Mr. Speer, the substitute as offered by Mr. Harris, was finally adopted.

Mr. Speer asked leave of absence for Mr. Holcombe, for a few days, on account of sickness, which was granted.

On motion of Mr. Speer, the Senate adjourned until to-morrow morning, 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Saturday, July 18th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Bowers, Honorable Senator from the 31st District.

The Journal of yesterday was read and approved.

On motion, leave of absence was granted Messrs. Anderson, Stringer and Welch, for a few days, on account of sickness.

Mr. Speer offered the following, which was adopted:

Resolved, That the Messenger be authorized and directed to procure locks, and affix to the desk of each Senator.

Mr. Higbee offered the following, to-wit:

Resolved, That the regular hour of meeting of the Senate shall be 10 o'clock, A. M., and the hour of adjournment, 1 o'clock, P. M.

On motion of Mr. Speer, the resolution was laid on the table for the present.

On motion of Mr. Burns, the Senate adjourned until Monday morning, at 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Monday, July 20th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by Rev. Mr. Smith, Honorable Senator from the 7th District.

The Journal of Saturday was read and approved.

Mr. Winn offered the following resolution, to-wit:

Resolved, *By the General Assembly of the Provisional Government of Georgia*, That a joint committee of three from the

Senate, and five from the House of Representatives, be appointed, (the House concurring) with instructions to report such preamble and resolutions as may be proper to be adopted, by the General Assembly, in order to carry this State into the Union, under the legislation of Congress on that subject, and that all propositions relating to that matter, be referred to said committee.

Mr. Merrell moved to lay the resolution on the table for the present, which was agreed to.

On motion of Mr. Speer, the Senate took a recess of thirty minutes.

On re-assembling, the following message, with accompanying documents, was received from his Excellency, the Provisional Governor, through Mr. deGraffenried, his Secretary, which was read, and is as follows:

Mr. President: I am directed by his Excellency, the Provisional Governor, to deliver to the Senate a message, in writing, with accompanying documents:

OFFICE OF THE PROVISIONAL GOVERNOR OF GEORGIA,
Atlanta, July 20th, 1868.

To the Senate:

The reports of your committee, raised to investigate the eligibility of Senators, under the act of Congress of June 25th, 1868, to "admit the States of * * * Georgia, * * * etc.," together with the evidence taken before said committee, and the resolution of the Senate, were transmitted to the Commanding General, with my endorsements thereon, and I herewith transmit for the information of the Senate, a communication from the Commanding General.

RUFUS B. BULLOCK,
Provisional Governor.

HEADQUARTERS THIRD MILITARY DISTRICT,
Department of Georgia, Florida, and Alabama,
ATLANTA, GA., July 18th, 1868.

Hon. R. B. Bullock, Provisional Governor, State of Georgia:

GOVERNOR:

I have the honor to acknowledge the receipt of your letter of the 17th instant, transmitting the action and resolution of the Senate, on the eligibility of its members under the 14th Article, Constitutional Amendment, and objecting to the same, on the ground of the admission of certain mem-

bers, who in the judgment of the minority of the committee of investigation, and yourself, are ineligible.

In reply, I beg leave to State that the subject matter of your communication will be held by me for consideration, and that action thereon will be deferred till I shall be officially advised of the course pursued by the House of Representatives, upon the same subject.

Very respectfully,

Your obedient servant,

GEO. G. MEADE,

Major General, U. S. A.

Mr. Hungerford moved that the message and accompanying document be laid upon the table for the present, which was agreed to.

On motion of Mr. Speer the Senate adjourned until tomorrow morning, 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Tuesday, July 21st, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Hinton, Honorable Senator from the 24th District.

The Journal of yesterday was read and approved.

The following message, with accompanying documents, was received from his Excellency, the Provisional Governor, through his Secretary, Mr. de Graffenried :

On motion of Mr. Merrell the same were taken up and read, and are as follows :

Mr. President: I am directed by his Excellency, the Provisional Governor, to transmit to the Senate a communication in writing, with accompanying documents :

OFFICE OF THE PROVISIONAL GOVERNOR OF GEORGIA,

Atlanta, July 21st, 1868.

To the Senate and House of Representatives :

The following communication from the Commanding General of this District, is respectfully transmitted for the information of the General Assembly :

TUESDAY, JULY 21ST, 1868.

By the provisions of the act of Congress, entitled "An act to admit the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama, and Florida, to representation in Congress," passed June 25th, 1868, you are required to duly ratify the amendment to the Constitution, proposed by the 39th Congress, and known as Article 14, and by solemn public act declare the assent of the State to that portion of said act of Congress, which makes null and void the first and third sub-divisions of Section 17 of the 5th Article of the State Constitution, except the proviso to the first sub-division, before the State shall be entitled and admitted to representation in Congress, as a State of the Union.

Copies of the said act of Congress, and of the said proposed amendment to the Constitution, are herewith transmitted :

RUFUS B. BULLOCK,
Provisional Governor.

ARTICLE 14.

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the law.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SEC. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member

of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

SEC. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Official copy:

B. B. DE GRAFFENRIED,

Provisional Secretary.

HEADQUARTERS OF THE ARMY,

Adjutant General's Office,

WASHINGTON, July 2, 1868.

General Orders No. 34.

The following act of Congress is published for the information and government of all concerned:

[PUBLIC—No. 44.]

AN ACT to admit the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama and Florida, to representation in Congress.

WHEREAS, The people of North Carolina, South Carolina, Louisiana, Georgia, Alabama and Florida, have, in pursuance of the provisions of an act entitled "An act for the more efficient government of the rebel States," passed March 2d, eighteen hundred and sixty-seven, and the acts supplementary thereto, framed constitutions of State government which are republican, and have adopted said constitutions by large

majorities of the votes cast at the elections held for the ratification or rejection of the same: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama and Florida, shall be entitled and admitted to representation in Congress as a State of the Union when the legislature of such State shall have duly ratified the amendment to the Constitution of the United States proposed by the Thirty-ninth Congress, and known as Article fourteen, upon the following fundamental conditions: That the constitutions of neither of said States shall ever be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote in said State, who are entitled to vote by the constitution thereof herein recognized, except as a punishment for such crimes as are now felonies at common law, whereof they shall have been duly convicted under laws equally applicable to all the inhabitants of said State: *Provided, That* any alteration of said constitution may be made with regard to the time and place of residence of voters; and the State of Georgia shall only be entitled and admitted to representation upon this further fundamental condition: that the first and third subdivisions of section 17, of the 5th Article of the constitution of said State, except the proviso to the first sub-division, shall be null and void, and that the General Assembly of said State, by solemn public act, shall declare the assent of the State to the foregoing fundamental condition.

SEC. 2. *And be it further enacted, That* if the day fixed for the first meeting of the Legislature of either of said States by the constitution or ordinance thereof, shall have passed, or have so nearly arrived before the passage of this act, that there shall not be time for the Legislature to assemble at the period fixed, such Legislature shall convene at the end of twenty days from the time this act takes effect, unless the governor elect shall sooner convene the same.

SEC. 3. *And be it further enacted, That* the first section of this act shall take effect as to each State, except Georgia, when such State shall, by its Legislature, duly ratify Article fourteen of the amendments to the Constitution of the United States, proposed by the Thirty-ninth Congress, and as to the State of Georgia when it shall, in addition, give the assent of said State to the fundamental condition hereinbefore imposed upon the same; and thereupon the officers of each State duly elected and qualified under the constitution thereof, shall be inaugurated without delay; but no person prohibited from hold-

ing office under the United States, or under any State, by section 3, of the proposed amendment to the Constitution of the United States, known as Article fourteen, shall be deemed eligible to any office in either of said States, unless relieved from disability as provided in said amendment; and it is hereby made the duty of the President within ten days after receiving official information of the ratification of said amendment by the Legislature of either of said States to issue a proclamation announcing that fact.

SCHUYLER COLFAX,
Speaker of the House of Representatives.

B. F. WADE,
President of the Senate pro tempore.

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 25th, 1868.

The President of the United States, having returned to the House of Representatives, in which it originated, the bill entitled "An act to admit the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama and Florida, to representation in Congress," with his objections thereto, the House of Representatives proceeded, in pursuance of the Constitution, to reconsider the same; and

Resolved, That the said bill do pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest :

EDWARD MCPHERSON,
Clerk H. R. U. S.

IN SENATE OF THE UNITED STATES,
June 25th, 1868.

The Senate, having proceeded, in pursuance of the Constitution, to reconsider the bill entitled "An act to admit the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama and Florida, to representation in Congress," returned to the House of Representatives by the President of the United States, with his objections, and sent by the House of Representatives, to the Senate, with the message of the President returning the bill :

Resolved, That the bill do pass, two-thirds of the Senate agreeing to pass the same:

Attest :

GEO. C. GORHAM,

Secretary of the Senate.

By command of GENERAL GRANT :

E. D. TOWNSEND,

Assistant Adjutant General.

OFFICIAL :

R. C. DRUM,

Assistant Adjutant General.

Official copy :

B. B. DEGRAFFENRIED,

Provisional Secretary.

HEADQUARTERS THIRD MILITARY DISTRICT,

(Department of Georgia, Florida and Alabama,)

ATLANTA, GA., July 20th, 1868.

Honorable R. B. Bullock, Provisional Governor of Georgia,

GOVERNOR: I have the honor to acknowledge the receipt of your letter of the 18th instant, advising me that a committee of the House of Representatives had waited on you, and verbally informed you, "that the House, having made a careful investigation into the eligibility of its members, have decided, by a vote of the House, that all persons, now in their seats, are eligible."

I have already acknowledged the receipt of your letter of the 17th, reporting the action of the Senate on the same subject. I have now to advise and instruct you, that each House having complied with the requisitions of my communication of the 8th instant, by examining into, and deciding on, the eligibility of their members, under the Acts of Congress, and the 14th Article, Constitutional Amendments, I have no further opposition to make to their proceeding to the business for which they were called together, as I consider them legally organized, from the 18th instant, the date of the action of the House.

Very Respectfully,

Your obedient Servant,

GEO. G. MEADE,

Major General, U. S. A.

Mr. Winn moved to take up from the table the resolution offered by himself on yesterday, relating to the appointment of a joint committee.

Mr. Merrell offered the following resolutions as a substitute to the motion of Mr. Winn, to-wit:

WHEREAS, By a joint resolution of the XXXIXth Congress (two-thirds of both branches concurring) there has been proposed to the Legislature of the several States an amendment to the Constitution of the United States, in the words following, to-wit:

ARTICLE 14.

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the law.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SEC. 3. No person shall be a Senator or Representative in Congress, or Elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an Executive or Judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

SEC. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But

neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce by appropriate legislation, the provisions of this article.

Be it therefore resolved by the Senate and House of Representatives, That the General Assembly (the Legislature) of the State of Georgia, does hereby ratify the said proposed amendment as a part of the Constitution of the United States.

And Whereas, The Congress of the United States, by the Act admitting the State of Georgia to Representation in Congress, as a State of the United States, imposes as one of the conditions upon which the same shall take effect, that the first and third sub-divisions of section seventeen, of the fifth article of the Constitution of the State of Georgia, except the proviso to the first sub-division, shall be null and void; and, that the General Assembly of the State shall, by solemn public act, declare the assent of the State to the said condition. It is therefore,

Resolved, by the Senate and House of Representatives, That the General Assembly of the State of Georgia, does hereby declare the assent of the State of Georgia to the said condition.

Mr. Candler offered the following as an amendment to the motion of Mr. Winn, and the substitute, as proposed by Mr. Merrell, to-wit:

Resolved, That the message of His Excellency the Provisional Governor, with the documents accompanying the same, as to the Constitutional Amendment, and the action of the Congress of the United States, in reference to the Constitution of the State of Georgia, be referred to the Judiciary Committee, to be appointed, with instructions to report upon the same at as early a day as may be practicable.

After debate, Mr. Brock moved the previous question, which was sustained.

The main question was then ordered, on the amendment to the motion of Mr. Winn, and the substitute of Mr. Merrell, as proposed by Mr. Candler, and was disagreed to.

The question recurring upon the substitute of Mr. Merrell, was then, on motion of Mr. Nunnally, divided, and the vote first taken on the Constitutional Amendment, as proposed by Congress, and known as Article 14.

On motion of Mr. Speer, the ayes and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adkins,	Griffin, 6th Dist.,	Richardson,
Bowers,	Griffin, 21st Dist.,	Sherman,
Bradley,	Harris,	Smith, 7th District,
Brock,	Higbee,	Smith, 36th Dist.,
Bruton,	Hungerford	Speer,
Campbell,	Jones,	Stringer,
Colman,	Jordan,	Wallace,
Corbitt,	Merrill,	Welch,
Dickey,	McWhorter,	Winn.

Those voting in the negative, are Messrs :

Anderson,	Hicks,	Nisbett,
Burns,	Hinton,	Nunnally,
Candler,	Holcombe,	Wellborn,
Collier,	McArthur,	Wooten.
Fain,	McCutchen,	

Ayes, 27 ; nays, 14. So the substitute was adopted.

On motion, the vote was next taken to declare the assent of Georgia to the fundamental conditions imposed by Congress to entitle the State to representation in Congress.

On motion, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adkins,	Griffin, 6th District,	McWhorter,
Bowers,	Griffin, 21st District,	Richardson,
Bradley,	Harris,	Sherman,
Brock,	Higbee,	Smith, 7th District,
Bruton,	Hungerford,	Smith, 36th District,
Campbell,	Jones,	Speer,
Colman,	Jordan,	Stringer,
Corbitt,	Merrill,	Wallace,
Dickey,	McArthur,	Welch,
Graham,	McCutchen,	Winn.

Those voting in the negative, are Messrs :

Anderson,	Fain,	Nisbett,
Burns,	Hicks,	Nunnally,
Candler,	Hinton,	Wellborn,
Collier,	Holcombe,	Wooten.

Yeas 30 ; nays 12. So the motion to substitute prevailed.

Mr. Nunnally stated, during the progress of the vote, that he voted nay because in his judgment Congress had no right to require the striking out of that portion of the Constitution.

The question then recurred upon the adoption of the sub-

stitute of Mr. Merrell, as a whole, with the following result, (the Chair voting aye):

Those voting in the affirmative, are Messrs:

Akins,	Griffin, 6th District,	Richardson,
Bowers,	Griffin, 21st District,	Sherman,
Bradley,	Harris,	Smith, 7th District,
Brock,	Higbee,	Smith, 36th District,
Bruton,	Hungerford,	Speer,
Campbell,	Jones,	Stringer,
Colman,	Jordan,	Wallace,
Conley,	Merrill,	Welch,
Corbitt,	McWhorter,	Winn.
Dickey,		

Those voting in the negative, are Messrs:

Anderson,	Hicks,	Nisbett,
Burns,	Hinton,	Nunnally,
Candler,	Holcombe,	Wellborn,
Collier,	McArthur,	Wooten.
Fain,	McCutchen,	

Yeas 28; nays 14. So the substitute, as offered by Mr. Merrill, was adopted as a whole.

Mr. Harris then moved that the resolution just adopted be transmitted to the House of Representatives for concurrence; which was agreed to.

Mr. Hinton offered the following, to-wit:

Resolved, That an addition of four be made to the Special Committee appointed to investigate the eligibility of A. A. Bradley, sitting member from the 1st District.

Mr. Adkins moved as a substitute that the committee on the case of the Senator from the 1st District be relieved, and the matter referred to the Committee on Privileges and Elections.

Mr. Smith, from the 7th District, moved to lay the original and the substitute on the table; which was agreed to.

Mr. Smith, of the 7th District, offered the following, to-wit:

Resolved, That hereafter the Senate shall meet at the hour of 9 o'clock, A. M., and adjourn at the hour of 1 o'clock, P. M.

Mr. Higbee moved to amend by striking out 9 o'clock, A. M., and insert in lieu thereof, 10 o'clock, A. M., which was disagreed to.

Mr. Merrell moved to strike out the words 9 o'clock, and insert 9½ o'clock, which did not prevail.

Mr. Speer moved to strike out 9 o'clock and insert 9½ in lieu thereof, which was not agreed to.

When, on motion, the resolution of Mr. Smith was adopted.

Mr. Wellborn offered the following, to-wit :

Resolved, That gentlemen who are present as contestants of the right of certain Senators to hold their seats here, be invited to seats upon the floor of the Senate, during their stay.

Mr. Speer moved that the resolution lay on the table, which was disagreed to.

The question was then put upon the adoption of the resolution, which was agreed to.

Mr. Higbee offered the following resolution, which was adopted, to-wit :

Resolved by the Senate and House of Representatives, That a committee be appointed of three from the Senate, and five from the House, to notify the Governor elect, the Hon. Rufus B. Bullock, that the General Assembly will be pleased to inaugurate him Governor of Georgia, at such time as he may think proper, in the hall of the House of Representatives. In accordance with the above, the Chair appointed Messrs. Higbee, Harris and Holcombe, the committee on the part of the Senate.

On motion of Mr. Higbee, the Secretary was directed to notify the House of Representatives of the action of the Senate upon the foregoing.

On motion of Mr. Burns, the Senate proceeded, *viva voce* to the election of a President, *pro tem*.

Mr. Smith, of the 7th District, nominated Mr. Harris.

Mr. Candler nominated Mr. Wooten.

The following was the result :

Those voting for Mr. Harris, are Messrs :

Adkins,	Higbee,	Smith, 7th Dist.,
Bowers,	Hungerford,	Smith, 36th Dist.,
Bradley,	Jones,	Stringer,
Campbell,	Merrell,	Wallace,
Colman,	McWhorter,	Welch,
Corbitt,	Sherman,	Wooten.
Dickey,		

Those voting for Mr. Wooten, are Messrs :

Anderson,	Griffin, 6th Dist.,	McCutchen,
Brook,	Griffin, 21st Dist.,	Moore,
Bruton,	Harris,	Nisbett,
Burns,	Hicks,	Nunnally,
Candler,	Hinton,	Richardson,
Collier,	Holcombe,	Speer,
Fain,	Jordan,	Wellborn,
Graham,	McArthur,	Winn.

Mr. Harris received 19 votes. Mr. Wooten received 24 votes. So the Chair declared Mr. Wooten duly elected President of the Senate, *pro tempore*.

The following message was received from the House of Representatives, by Mr. Harden, their Clerk.

Mr. President : The House of Representatives have adopted the following resolution, to-wit :

Resolved, That a committee of five be appointed by the Speaker, to join such committee as the Senate may appoint, to wait upon his Excellency, R. B. Bullock, Provisional Governor, and inform him that this House has duly ratified the amendment to the Constitution of the United States, proposed by the Thirty-ninth Congress, and known as Article 14th, and that the House has also declared its assent to the fundamental conditions imposed on this State by an act of Congress ; and that both branches of the General Assembly, will at such time as he may designate, be ready to inaugurate the Governor, elect. And that the Clerk of this House transmit forthwith to the Senate a copy of this resolution, and request their concurrence in the same.

The committee, on the part of the House, consists of Messrs. Bethune, of Talbot ; Williams, of Dooly ; Johnson, of Towns ; Mathews, of Houston, and Neal, of Warren.

The House of Representatives has, also, concurred in the following resolutions of the Senate, to-wit :

A joint resolution to declare the assent of this State to the fundamental conditions imposed by Congress to entitle this State to representation.

A joint resolution, ratifying the amendment to the Constitution of the United States, proposed by the Thirty-ninth Congress.

All of which I am instructed to transmit forthwith to the Senate.

Mr. Higbee moved that the Senate do now concur in the foregoing resolution of the House of Representatives. Agreed to.

Mr Higbee offered the following resolution, which was adopted, to-wit :

Resolved by the Senate and House of Representatives, That a committee of two from the Senate, and such committee from the House of Representatives, be appointed to make suitable arrangements for the inauguration of the Governor elect.

The Chair appointed Messrs. Higbee and Wooten as such committee on the part of the Senate.

On motion of Mr. Smith, from the 36th District, the

Secretary was directed to transmit the above resolution, forthwith, to the House of Representatives.

Mr. Smith, of the 36th District, offered the following, which was adopted, to-wit,

Resolved, That the Governor elect, R. B. Bullock, transmit the resolutions in reference to the adoption of the Constitutional Amendment, and the assent of both Houses to the fundamental condition imposed by Congress on the State of Georgia, to entitle said State to representation in Congress, to the President of the United States, and the Secretary of State of the United States.

Senators Speer and Anderson asked to be relieved from further service on the committee appointed to investigate the case of the Senator from the 1st District. Agreed to.

Messrs. Merrell and Fain were appointed, by the Chair, instead.

On motion of Mr. Higbee, the Senate adjourned until tomorrow morning, 9 o'clock.

SENATE CHAMBER,

ATLANTA GEORGIA,

Wednesday, July 22d, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by Rev. Mr. Smith, Honorable Senator from the 7th District.

The Journal of yesterday was read and approved.

During the reading of the Journal, Mr. Smith, of the 7th District, gave notice that he would move a reconsideration of so much of the Journal of yesterday, as relates to the hour of assembling in the forenoon.

Mr. Candler, also, gave notice that he would move a reconsideration of so much of yesterday's Journal as relates to the concurrence of the Senate in a resolution of the House, concurring in the action of the Senate on the Constitutional amendment.

In conformity with previous notice, Mr. Smith moved to strike out 9 o'clock, A. M., as agreed to on yesterday, and insert in lieu thereof, 10 o'clock, A. M., which was agreed to.

Mr. Candler, also, in accordance with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the concurrence of the Senate in a resolution of the

House of Representatives, concurring in the action of the Senate on the Constitutional amendment.

The motion to reconsider, was lost.

Mr. Higbee, as chairman of committee, submitted the following report, which, on motion of Mr. Harris, was taken up and read, and is as follows :

Mr President—The committee appointed to join such committee as might be appointed by the House of Representatives, to wait on the Governor elect, the Hon. Rufus B. Bullock, and inform him that the General Assembly has ratified Article fourteen of the amendment to the Constitution of the United States, proposed by the Thirty-ninth Congress, and given its assent to that portion of the act of Congress, passed June 25th, 1868, which makes null and void the first and third sub-divisions of section 17, of the fifth Article of the State Constitution, except the proviso to the first sub-division, and also to request his Excellency to designate the time when it will be his pleasure to be inaugurated, have directed me to report that they have performed that duty, and the Governor elect has informed them that it will be his pleasure to be inaugurated this day at 12 o'clock, M.

On motion of Mr. Harris, the report was adopted.

On motion, leave of absence was granted the following Senators for a few days, on account of indisposition, viz :

Messrs. Adkins, Holcombe and Moore.

On motion of Mr. Hungerford, the Senate took a recess until half-past 11 o'clock.

The hour of recess having elapsed, the Senate was called to order by the President.

The following message was received from the House of Representatives, by Mr. Hardin, their Clerk :

Mr. President : I am instructed by the House of Representatives, to inform the Senate that the House is now ready to receive the Senate in their Hall, for the purpose of inaugurating the Governor elect.

On motion of Mr. Higbee, the Senate repaired to the Hall of the House of Representatives, to participate in the inauguration.

At the conclusion of the inauguration, the Senate returned to the Senate Chamber, and was called to order by the President.

On motion, leave of absence was granted Senators Collier and Nunnally, for a few days.

On motion of Mr. Speer, the Senate adjourned until Friday morning, 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Friday, July 24th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Smith, Honorable Senator from the 7th District.

The Journal of Wednesday was read and approved.

The following message was received from his Excellency, the Governor, by Mr. de Graffenried, his Secretary to-wit:

Mr. President: I am directed by the Governor to deliver to the Senate his Annual Message, with accompany documents.

On motion of Mr. Harris, the message was taken up and read, as follows:

Senators and Representatives:

Congratulating you, as the Representatives of the People, upon the establishment of Civil Government, and the fact that Georgia is once more an integral portion of our National Unity, we welcome the intelligence which comes from nearly every portion of our State, of a bountiful harvest to the husbandman, and, as a consequence, general content and thrift among our people, an omen of our future prosperity.

THE CONSTITUTION.

A new Constitution has been framed by our delegates to the late Convention, and it is your duty, as it will be your pleasure, to enact laws in harmony therewith.

Among its many admirable provisions, attention is respectfully called to the following changes in, and amendments of, the old Constitution, some of which require early legislation at your hands:

DECLARATION OF FUNDAMENTAL PRINCIPLES.

Article One is the Declaration of Fundamental Principles.

Section Two of that Article recites that, "All persons born or naturalized in the United States, and resident of this State, are hereby declared citizens of this State; and no laws shall be made or enforced, which shall abridge the privileges or immunities of citizens of the United States, or of this State, or deny to any person within its jurisdiction, the equal protection of its laws. And it shall be the duty of the General Assembly, by appropriate legislation, to protect every person in the due enjoyment of the rights, privileges and immunities guaranteed in this section."

This provision is in consonance with the law of Congress, which, fortunately for our domestic tranquillity, settles a question which might have been a source of serious trouble for us and our children ; and shows, conclusively, that there was no proscriptive spirit on the part of the framers of the New Constitution, for, by its provisions, every citizen is fully permitted to participate with us in the government of our inter-State affairs.

IMPRISONMENT FOR DEBT PROHIBITED.

Their wisdom is further shown in the adoption of the Eighteenth Section of Article One, Prohibiting Imprisonment for Debt, and obliterating from our Code of Laws that relic of the usurer's power which confined the unfortunate debtor in a felon's cell.

Still further, as an evidence of our enlightenment and advancement in the scale of humanity and moral progress, by the Twenty-second Section of the same Article, Whipping, as a punishment for crime, is abolished. The whipping post will no longer shock the sensibilities of our citizens.

LOTTERIES PROHIBITED.

Another most salutary provision is found in Section Twenty-three of the same Article, which enacts that "No Lottery shall be authorized, or sale of lottery tickets allowed in this State, and adequate penalties for such sale shall be provided by law." This section, in my judgment, will be found to be a great conservator of public morals, and it becomes your duty to provide, by appropriate legislation, adequate penalties to prevent the continuance of this demoralizing traffic.

POLL TAX.

Section Twenty-nine of the same Article prescribes "That no poll tax shall be levied, except for Educational purposes, and such tax shall not exceed one dollar annually on each poll." The freedom of the ballot box is in a measure insured by this provision, which prevents an excessive tax upon each poll, and at the same time permits the voter to aid in promoting the free school system, by contributions to that fund.

NATIONAL UNITY.

Section Thirty-third provides that "The State of Georgia shall ever remain a member of the American Union ; the People thereof are a part of the American nation ; every citizen thereof owes a paramount allegiance to the Constitution and Government of the United States, and no law or ordinance of this State, in contravention or subversion thereof, shall ever have any binding force. This settles, substan-

tially and definitively, a subject-matter which has been the fruitful source of our most serious difficulties in peace and in war.

FRANCHISES AND ELECTIONS.

Your attention is particularly directed to that portion of Article Two—Franchises and Elections—which prescribes qualification for Electors and recites that the Elector “Shall have paid all legal taxes, which may have been required of him, and which he may have had an opportunity of paying, agreeably to law.”

This requirement has been a part of our Statutes for many years, but of late has grown into disuse. It should be enforced, particularly since the Poll tax has been made almost nominal, and within the ability of all who esteem the franchise as the especial privilege of a freeman.

It would, also, save money to the county treasuries, as the law allows, and it is the customs of the Sheriffs, to charge for a return of *nulla bona* upon *fi. fas.* issued by the Tax Collectors upon insolvent polls placed in the hands of the Sheriff for levy.

The provision is a good one, and the General Assembly should require the Superintendents and Managers of elections to enforce it strictly or strike it from the Code.

There has, also, been a judicious change in the oath to be administered to a challenged voter, which, if enforced, will materially improve the purity of the ballot.

DUELING.

Attention is directed to the punishment necessary to be prescribed for the violation of Section Five of this Article, which says that “No person who, after the adoption of this Constitution, being a resident of this State, shall engage in a duel in this State or elsewhere, or shall send or accept a challenge, or be aider or abetter to such duel, shall vote or hold office in this State; and every such person shall, also, be subject to such punishment as the law may prescribe.”

PROHIBITING SALE OF LIQUOR.

There is no provision of the Constitution which embodies greater wisdom and sagacity than that contained in the Eighth Section of this Article, which provides, that “The sale of intoxicating liquors on days of election is prohibited,” and it is earnestly recommended to your attention, as one requiring legislation, that will effectually prevent, not only the sale, but access to, this active agent in fomenting contention and bloodshed.

NEW COUNTIES.

Article Three, Section Five, requires that “No new county shall be established, except by a vote of two-thirds of each

House, nor shall any county be abolished, except by a vote of two-thirds of each House, and after the qualified voters of the county shall at an election, held for the purpose, so decide." This is an amended article of the old Constitution, and may be regarded an excellent provision, as many new counties have been organized whose creation was of doubtful propriety, the taxation and revenue derived from them being insufficient to pay the per diem and mileage of their members in the General Assembly, and, therefore, provided offices for a few persons without a corresponding advantage to the State.

PUBLICATION OF ACCOUNTS.

Article Three, Section Six, Paragraph One. The amendment to this section, as compared with the old Constitution, requires that "The regular statement and account of the receipt and expenditure of all public money, shall be published from time to time, with the laws passed by each session of the General Assembly," and is worthy of special commendation.

The printed laws, heretofore, have not contained this valuable information, and the people have not had an opportunity of knowing how the revenue of the State has been expended, save through the reports of the Treasurer and Comptroller General, which have not been accessible to the public at large. This mode of publication will insure a more general diffusion of the data and information with which the reports are usually filled and incidentally lead to a more intimate knowledge of the laws among our citizens, and a more discriminating economy in our disbursements.

LEGISLATIVE.

Article Third, Section Six, Paragraph Two, provides that "No vote, resolution, law or order, shall pass granting a donation or gratuity in favor of any person, except by the concurrence of two-thirds of each branch of the General Assembly, nor by any vote to a sectarian corporation or association." The prohibition from donating in favor of sectarian associations is an amendment to the old Constitution, and one that will meet the favorable consideration of our citizens.

Paragraph Three of the same Article provides that "No law or section of the Code shall be amended or repealed by mere reference to its title, or to the number of the section in the Code, but the amending or repealing act shall distinctly and fully describe the law to be amended or repealed, as well as the alteration to be made; but this clause shall be construed as directory only to the General Assembly." This provision subserves a wise purpose, in that it prevents hasty legislation. Numbers of instances in previous legislation have occurred where the identical law upon the statute book, has been reenacted, and sections of the Code, repealed by reference to

number of the act, the body of which had no connection with the matter intended to be legislated upon.

JUDICIARY.

Article Five. In this, as in other Articles of our admirable Constitution, we notice the remarkable fact that the Convention, distinctly representing "Universal Suffrage," acted independently and with wisdom and discernment for the benefit of the people, and conservatized the Government which they were about to establish by reducing to a minimum the number of elective officers, and increasing to a maximum the length of the term of the offices which were to be elective or appointed. The extension of the terms of the Executive and Judiciary, will be beneficial in many respects, and, to a great extent, it will have the effect of placing these two departments of the Government beyond the influence of partisan politicians.

The Executive is controlled in his selection by the dignified and thoughtful mind of the Senate ; and in this connection, the mature deliberation of the General Assembly is invited to the subject of Salaries, to the end that adequate compensation may be provided for the several offices of Judges of the Supreme, Superior and District Courts, and for the Attorneys and Solicitors General and District Attorneys, that persons of character and capacity may be secured to fill these important positions. In deciding the compensation which should attach, due regard will be had to the incomes which this class of professional gentlemen would acquire by their practice. It is also proper that their emoluments should be in proportion to the character, responsibility and dignity of the office.

The provision "that the Court shall render judgment without the verdict of a jury in all civil cases founded on contract where an issuable defense is not filed on oath," it is believed will materially expedite the business of the Courts, and save costs to defendants.

DISTRICT JUDGES AND ATTORNEYS.

Section Four, Article Five, requires that "there shall be a District Judge and a District Attorney for each Senatorial District in this State." This change from County to District Courts, Judges and Attorneys, may be regarded as greatly subserving the public interest. It reduces the number of officials, secures a speedy administration of justice, reduces the expense attendant upon payment of jail fees, and the provision for the payment of the official salaries from the county treasury, instead of the receipts from fines and forfeitures, relieves these officials from the charge of undue influence, in an anxiety to secure convictions and thereby increase the emoluments of their office. The favorable attention of the General Assembly is asked for that paragraph of

the Constitution which authorizes you to confer civil jurisdiction upon these Courts.

COURTS OF ORDINARY.

Section Five, Paragraph Eleven, Article Five, Section Five Paragraph Two, provides that "The Courts of Ordinary shall have such powers, in relation to roads, bridges, ferries, public buildings, paupers, county officers, county funds and other matters, as shall be conferred on them by law."

By Section Nineteen "The Courts heretofore styled the 'Inferior Courts' are hereby abolished, and their unfinished business, and the duties of the Justices thereof are transferred to such tribunals as the General Assembly may designate." And Article Eleven, under the head of "Laws in General Operation," Section Seven, recites that "The books, papers and proceedings of the Inferior Courts shall be transferred to and remain in the control of the Ordinaries, who shall perform the duties of said Courts until otherwise provided by law." It is respectfully suggested that early attention be directed to this Paragraph, to the end that Ordinaries may be relieved from a large portion of the duties thereby imposed upon them. That Court should, it is believed, be divested of matters not germane to it; it is a Court created for a particular purpose, and its duties should be confined to the objects of its creation. Should the business, heretofore transacted by the Justices of the Inferior Court be entrusted to the Ordinary, he would not be able to perform it in addition to the duties heretofore pertaining to that office. It may, also, be objected that, with these additional services prescribed, too much power is conferred upon one county officer. The supervision of roads, bridges, ferries, public buildings, paupers, county offices, county funds and taxes, and other matters, all given to one man is a subject that invites criticism.

Under Section Fifteen "The General Assembly shall have power to provide for the creation of County Commissioners in such counties as may require them, and to define their duties." By this provision Commissioners may be created, to whom can be intrusted a portion, at least, of these duties, securing efficiency and promptitude; and in this connection your serious consideration upon the subject of Road laws is necessary to secure a practical system.

PUBLIC HIGHWAYS.

The efficiency of the public highways is a State necessity; our Road laws now in existence are entirely disregarded. We have the material for working out a system of improvement in roads with economy, and the safety, comfort and pecuniary interest of the people, as well as the demands of commerce, require that this branch of internal improvements should be inaugurated by practical measures with sufficient and prompt penalties to insure their execution.

JURORS.

Section Thirteen, Paragraph Two, requires, "That the General Assembly shall provide by law for the selection of upright and intelligent persons to serve as jurors. There shall be no distinction between the classes of persons who compose grand and petit jurors. Jurors shall receive adequate compensation for their services, to be prescribed by law" There should be uniformity in the compensation of jurors, as well as in the mode of raising it. Where the juries have been paid as heretofore by counsel and the jury fee charged in the bill of costs, in many instances each juror has been known to receive the unreasonable sum of ten dollars for one day's service. This has had the effect of inducing many persons to be regularly in attendance upon the sessions of Courts to be caught upon juries, merely to receive the pay for such service, and the result has been that the familiar faces of these professional jurors are continuously presented in the jury box, and a uniform character of verdicts are returned, regardless of the law and facts.

Under the present system, it often happens that a juror and witness from the same district return from the Court, the one having realized five or ten dollars, the other seventy-five cents, by one day's attention to the public service. Let the compensation be commensurate with the service rendered, and this evil will be remedied.

RELIEF.

The provision of our Constitution, under which the Courts were denied jurisdiction in cases of action for debts contracted prior to the 1st day of June, 1865, having been necessarily abrogated, under the requirements of the laws of Congress, your attention is respectfully called to the pressing necessity for granting all the relief to the people that may be in your power, under the Constitution. The just expectation of the people on this subject is sufficiently well known to yourselves to make it unnecessary for me to present arguments in their favor.

HOMESTEAD EXEMPTION.

A general law should be framed at the earliest practicable moment providing for the setting apart of Homesteads as authorized in Article Seven of the Constitution, and thereby place beyond the control of the grasping creditor a shelter and a support for the families of those who, by reason of mistaken kindness to friends, misfortune, or the disasters of the war, would be left homeless. The Second Paragraph of this just and humane Article secures the independent right of property for women.

EDUCATION.

Article VI requires that the General Assembly, at its first

session, "shall provide a thorough system of General Education, to be forever free to all children of the State."

A thorough and complete system cannot reasonably be expected from the legislation of any one session of the General Assembly. With a territory so extensive, and a population so widely separated as ours, a school system must be devised to meet as near as possible the peculiar circumstances which surround us, and can only be finally attained and perfected by the light of careful investigation, and after some years of experimental effort. This, too, with a due regard to the ability of the people to meet the taxation necessary for its support.

Great good has been accomplished in our midst since the close of the war, by the earnest efforts of self-sacrificing ladies and gentlemen who have been sustained by the liberal contributions of our friends in the Northern States.

Under well regulated associations, schools have been established in large numbers and with wonderful results, and it is recommended that a formal expression of our gratitude be given by a resolution of the General Assembly.

It is also recommended as advisable for the State to make an annual appropriation to these associations, equal to the amount contributed from abroad, to promote and enlarge the system now so successfully inaugurated, while we are preparing for and perfecting a general free school plan as indicated in the Constitution. Attention is invited to the statement of Mr. E. D. Ware, on this subject, herewith transmitted.

The State University has received the amount appropriated for the current year, and is in a very flourishing and satisfactory condition, under the control of its able Faculty.

The benefits of the munificent gift of Mr. Peabody are now being enjoyed by our children under the wise direction given to it by the Board of Trustees, who have the fund in charge.

MILITIA.

If it is deemed wise to establish a militia organization it is hoped that the acts which are to regulate it will be of such a character as to compel a perfect and harmonious organization, with sufficient discipline to make the force useful and effective.

COUNTY OFFICERS.

In view of the great poverty of our people, and of the present effect of setting apart Homesteads, the Executive might, with the assistance of the Treasurer and Comptroller, be authorized to exercise a discretion as to the kind and character of the bond to be given by persons elected to county offices to the end that, if for the above reasons, or from other causes, the officer elect may not be able to secure

the character of bond, heretofore required, the choice of the people shall not be denied the exercise of the duties of his office.

PUBLIC BUILDINGS.

The removal of the Seat of Government to the city of Atlanta will, for a time, occasion some inconvenience to the members of the General Assembly and to the Executive, but this temporary disadvantage is vastly more than balanced by the convenience to the public at large.

Under the arrangement volunteered by the liberal spirit of the citizens of Atlanta, the corporation took upon itself to provide suitable and satisfactory buildings and accommodations for the Seat of Government.

As there is no finished building in this city, of sufficient size to afford proper facilities for the General Assembly, the Committees and the Departments, it is recommended that the General Assembly take into consideration the propriety of aiding the corporate authority and thereby secure the completion of a building now in the city, which can be admirably adapted to your wants.

We are informed that capitalists are prepared to enlarge and complete the building known as the "Opera House," upon any plan acceptable to the General Assembly, and have the same ready for the Winter session, and to lease the property to the city or State for a term of years, at a fair rate of rent, based upon the value of the property and the cost of the improvements.

IRWIN'S REVISED CODE.

Irwin's revised Code, having been adopted by the Convention, it will be necessary, by an addenda to the Code to explain the changes made in the laws by the new Constitution, and with such addenda, cause a copy of the Code to be placed in the hands of the several officers of the civil government.

COUNTY POOR.

Legislation is necessary to the end that the indigent poor may be charitably cared for in each county in the State, under some general plan, that will insure uniform treatment, and prevent the poor of one county being made burdens for another. The erection of comfortable buildings, with sufficient grounds adjoining for agricultural employment of the inmates, at a central point in each county, where all the helpless paupers could be cared for, is recommended.

WESTERN AND ATLANTIC RAILROAD.

Attention is respectfully invited to the concise and satisfactory report of the able and efficient officer who has been in charge of this valuable and productive property of the State since the close of the war, and more especially to his wise sug-

gestion as to the necessity for adequate legislation to protect the tax payers from loss, which will ensue from the prosecution of claims against the Road for unavoidable losses of property and damage done to persons during the war; and it is respectfully added that the laws of the State are of such a character as to inflict serious and unjust burdens upon commerce, and to deter capital from embarking in the carrying trade.

The decisions of our Courts, regulated by the Code, have been in conflict with the decisions of the Supreme Court of the United States and of many of the States more extensively interested in the laws controlling carriers than our own, and it is earnestly recommended that our laws on this subject may be clear and definite, and so revised as to give equal and just protection to the carrier and to the patron, and thus leave the Courts untrammelled by special and hostile legislation on this subject; one which is of such vital importance to the interests of the State in her own Road, and to her citizens who are interested in the operation and construction of other Roads.

Referring to the financial condition of the Road, as presented in the accompanying reports, we find that \$241,895 54 has been realized to the Treasury of the State during the nine months ending June 30th ultimo. From an examination of the reports for 1866 and 1867, it is found that the amount credited as an asset, in this report of \$7,431 86 due from other Agents, has been carried forward, with but trifling variation, during the past three years. If this amount is not collectable, the Treasurer should be authorized to relieve his accounts of a valueless credit.

PROVISIONAL GOVERNOR RUGER.

The thanks of this State are due to the gallant officers who have so ably administered the Provisional Government in the Executive office, and in the offices of Comptroller General, Secretary of State and State Treasurer. The attention of the General Assembly is called to the following extracts from General Ruger's reports:

"MILLEDGEVILLE, GA., July 4th, 1868.

"Governor R. B. Bullock:

"DEAR SIR: I have the honor to furnish you with the following statement, in hopes that, although not in detail, it will be of assistance to you in ascertaining the condition of affairs relative to the Executive Department of the State of Georgia.

"Upon my entry upon duty as Provisional Governor, *vice* Governor Jenkins, removed from office, I found that the Seal of the Executive office was gone; also the record of Warrants drawn upon the State Treasurer by my predecessor.

These, I am informed, were carried away by Governor Jenkins.

"It was found, when the present Secretary of State entered upon his office, that the Great Seal of the State was missing. The same was removed by the former Secretary, Mr. Barnett, or with his consent, as I have no doubt.

"No funds were turned over by the former Treasurer, Mr. Jones, to Captain Rockwell, nor any records from which could be ascertained the transactions of the Treasury during the time for which he was Treasurer.

"The Comptroller General, Mr. Burns, on being relieved, failed to turn over to his successor, Captain Wheaton, U. S. Army, the records of his office, (Ledger, Journal, Warrant Book, Warrant Blotter and Receipt Book) from which accurate knowledge of the transactions of the State Treasury and Comptroller General could be ascertained. Neither the Seals, money nor records have been returned or recovered.

"It will be impossible for the present Comptroller General, Treasurer and Secretary of State to make a complete report, including transactions of their departments since last published reports, for want of necessary data. They will furnish statements covering the time for which they have held their offices. These, together with the statements that I understand their predecessors will make to those elected to the offices by the present Legislature, will give yourself and the officers elected full knowledge of affairs connected with those departments.

TREASURY.

"On the entry upon office of the present Treasurer, Captain C. F. Rockwell, U. S. Army, no funds were turned over to him by his predecessor, nor the records from which could be ascertained the actual condition of the finances of the State.

"There is still in the hands of Mr. Jones, late State Treasurer, sufficient funds to pay, within a few thousand dollars, all dues for interest on the public debt up to the first day of January, 1869. At this date there is in the hands of the present State Treasurer, considering all warrants drawn as paid, about \$105,000.

"It can be considered, that at this date, there is \$100,000 in the Treasury for general purposes, regarding payments of interest on the public debt, as provided for, up to January, 1st, 1869.

"The ordinary sources of income will be: *First*, the Western and Atlantic Railroad, which can be relied upon, I think, for from twenty to twenty-five thousand dollars per month, including the present month, up to the first of January next. *Second*, receipts from past due taxes of the year 1867, on which account, probably, not more than \$15,000 will accrue

during that time. *Third*, the receipts from general tax for 1868.

"As no steps have been taken towards the collection of this tax, other than the preparation of the blank digests, it cannot be expected that much will be received from that tax before November 1st, 1868.

"I should think, in view of the fact that nearly all the money in the hands of Mr. Jones, will be required to pay the interest on the public debt, coming due the present and next two months, for reliable calculation, it can be assumed that, with what is now in the hands of the present Treasurer and that to accrue from ordinary sources, the available means of the Treasury from such sources will be, for the four months, including the present, and ending November 1st, 1868, at which time, or soon thereafter, receipts can be depended on from the general tax for 1868, \$200,000. The usual expenditures probably necessary, until November 1st, for State Institutions, Printing, Contingent Expenses, etc., are given below approximately.

"It is assumed that the expenditures will be for special appropriations at the rate of appropriations made by the last Legislature. Such has been the basis of payments during the time I have been performing the duties of Governor. Where specific appropriations have been made, the amount is stated in left hand column and payments on right hand column. As the financial years of all the public institutions end either on the first or last of October, it can be considered that all appropriations unpaid will be required by November 1st. In this statement, no account whatever is taken of expenses of the Legislature, or of appropriations by it for the present fiscal year, which, of course, cannot be now known.

	Appropriations of last Legislature continued.	Amount paid by Executive warrants for fiscal year, up to date, including that paid by late Treas'r, Mr. Jones.
Lunatic Asylum.....	\$62,000 00	\$42,800 00
Penitentiary.....	30,000 00	17,914 00
Deaf and Dumb Asylum.....	8,000 00	6,000 00
Academy for the Blind.....	11,000 00	4,500 00
	<hr/>	<hr/>
	\$111,000 00	\$71,214 00
	71,214 00	
	<hr/>	
	\$39,786 00	

The needs of the State Institutions, as appears above, require about \$40,000. The civil list, at the rate of \$20,000 per quarter, \$30,000 to \$35,000. Of outstanding claims due there is, on account of furnishing artificial arms and legs, (and which will be about all that will be required for that purpose, as very few orders have been received of late,) 4,000.

Printing Fund (estimated) \$2,200. Contingent Fund (estimated) 4,000. For payment on account of education of maimed soldiers, on which account all payments have been made up to May 1st, 1868, if payments on the same account should be made on the system of quarterly payments, the year beginning January 1st, about \$25,000. There is still unpaid on repairs to State Capitol, at Milledgeville, about \$1,000, of which, however, about \$700 is due the Penitentiary. Without, therefore, taking into account any payments on account of the Legislature, or of appropriations other than the usual ones herein above considered, and excluding interest on Public Debt, it may be stated that the expenditures up to November 1st, 1868, will require about from \$110,000 to 120,000.

It is apparent that as there is at this date only about \$100,000 in the Treasury, and the money in the hands of Mr. Jones, will be mostly required for the payment of interest on the Public Debt within this and the coming month, that, unless the Legislature should continue in session but a short time, there will be a necessity for making a temporary loan until the taxes for 1868 can be collected. The gross receipts for the year 1867, fell far short of the estimates of the former Treasurer. The Convention tax will eventually pay the Scrip—a little over \$100,000 was issued, and about \$67,000 has been paid.

COMPTROLLER GENERAL'S OFFICE.

The Digest Blanks are ready to be sent to the Tax Receivers. The blanks were not sent out to the old Tax Receivers, for reason in part, because it was supposed that the new State Government, under the Reconstruction Acts, would have been in operation before now, and any changes necessary in rules or otherwise, consequent upon its legislation could be made; and, in part, that the Tax Receivers elected under the new Constitution might perform the duties. When it became apparent that it would not be expedient to delay the preparation of the Blank Digests, they were completed and are now ready. I would suggest the propriety of having the newly elected Tax Receivers commissioned and qualified as soon as possible, and that the Digests be sent them.

An Act of the Legislature should, perhaps, be passed requiring, as the usual time has passed by law stated therefor, that all persons give in the value of taxable property by a certain time. There is really no necessity for the three visits now required to be made at appointed places by the Tax Receivers. I think that every thing can be complete and taxes required to be paid by November 10th or 15th. The time should be fixed, at which payment is required, as early as practicable, as the January interest on the Public Debt is about \$155,000.

SECRETARY OF STATE.

Nothing occurs to me, relative to this office, requiring remark, except the absence from the office, of the Great Seal of the State, which Mr. Barnett, the former Secretary, failed to turn over to his successor.

PENITENTIARY.

The report of the Principal Keeper, covering time from last report, up to May first, has been received. Said report does not take account of \$4,500, paid on account of Penitentiary since May 1st; said amount is, however, included in statement hereinbefore given under head of "Treasury." The Penitentiary, after estimating all property on hand, and credits at a fair value, is about \$10,000 in debt. The services of two hundred convicts have been leased to private parties. The contract in case of one hundred, first entered into, is on file, and provides substantially, that the State shall be at no expense on account of such convicts, and shall receive \$2,500 for services of convicts for one year, payable quarterly. The contract bears date 11th day of May, 1868.

The contract in relation to the one hundred recently turned over to the contractors, has not been yet signed by the Executive. It was made by the Principal Keeper, under my orders, in my absence, recently in Atlanta. The terms were to be the same as in first contract, with like security. The contract was taken to Atlanta the day I left for this place. It will require your signature.

MISCELLANEOUS.

Some time since, I called for reports from the clerks of the Superior Courts, of all cases of "Homicide" in their respective counties, since January 1st, 1866, with the intention of having such reports consolidated and classified in such manner as to present as nearly as possible, a view of the state of the public morals, and the practical operation of the laws in that regard. Reports from eighty counties have been received.

I would invite your attention to the fact, that by the law relative to burglary, as at present existing, the breaking into a store-house, out-house, etc., (Sec. 4320, Irwin's Code) in the night time, is a capital offense, and there are now two convicts in the Penitentiary sentenced to imprisonment for life. One for breaking into and stealing from a mill some corn meal; and another, for breaking into an out-house and stealing some molasses or syrup.

The report of the Grantees of the Lottery, authorized by the Legislature in 1866, for the purpose of establishing a "Masonic Orphans' Home," has been made, to which and a letter of complaint made by a citizen of the State, and filed therewith, I invite your attention.

MEMORANDUM.

Following is a statement of the interest on the Public Debt, by month, for the year 1868, also a general statement, which, without knowing it to be accurate, I think is so, of the amount in the hands of Mr. Jones on first day of January last, and his collections up to the time he was relieved, and statement of disbursements.

INTEREST ON PUBLIC DEBT.

January.....	\$155,155 00
February.....	22,035 00
March.....	1,800 00
May.....	8,427 50
June.....	11,045 00
July.....	144,110 00
August.....	22,035 00
September.....	1,800 00
November.....	8,427 50
Total.....	<u>\$374,835 00</u>

MR. JONES' ACCOUNT.

Cash balance in Treasury, January 1, 1868.....	\$371,261 61
Receipts from January 1st to 13th.....	57,244 51
	<u>\$428,506 12</u>

DISBURSEMENTS.

Payments, Executive Warrants, since January..	\$ 22,635 29
Coupons State Bonds taken up.....	160,429 50
Advances to officers, contractors, etc.....	25,956 45
Advances to Lunatic Asylum.....	10,000 00
Advances to Penitentiary.....	8,685 57
Total.....	<u>\$227,706 81</u>

"Leaving in the hands of Mr. Jones at date of last disbursement \$200,799 31. [Exact date of last disbursement not known to me.]

"It will be seen that after disbursements, other than on account of interest on the Public Debt, are taken from the gross amount of \$428,506 12, it does not leave sufficient to pay the interest on the Public Debt up to January 1, 1869, by \$13,606 19.

"Funds in the hands of Mr. Jones, late Treasurer, have been used to pay the interest on the Public Debt. With respect to Bonds authorized by law to be issued to replace State Bonds due in 1868 and 1869, I can give no definite information. The matter will require your early attention.

"THOS. H. RUGER,

"*Brevet Brigadier General U. S. A.*"

It would seem proper and right that the compensation attaching to the civil service, performed by those officers, should be tendered to them, with a resolution expressing your appreciation of the valuable benefits which have accrued to the people of the State through their wise and economical administration.

ASYLUMS.

Reports from the Lunatic, Blind, and the Deaf and Dumb Asylums have not been received.

RESTORATION OF FEDERAL RELATIONS.

The amendment to the Constitution of the United States, known as the "Fourteenth Article," is an amendment applicable to all the States; therefore, no one State can reasonably object to it on the ground of inequality. As citizenship is conferred by Congress, and conditions have been heretofore prescribed, what reasonable ground is there to object to the General Government prescribing conditions in the future or the present? We are a nation and not a confederation of independent sovereignties, and it is certainly right and proper that the power of declaring who shall be citizens, should belong to the National Legislature, and as the Constitution prescribes that the citizens of one State shall be citizens of every other, there is a power more than implied, that the National Legislature may make citizenship uniform.

But the chief objection urged to the amendment is, that it makes citizens of all persons of color born in the United States. It is hardly necessary to argue this objection.

It has been practically ignored from the commencement of the government, and if it had not been, it is too late now to argue, that a native American has no rights, because his complexion is not that of the majority.

Will those who contend that men of African descent, cannot rightfully be made citizens, pretend to say, that a free colored man, born in the United States, traveling in foreign countries, could not always have rightfully claimed the protection of the Flag, and if injured in his person or property, would not have been entitled to redress and have obtained it? If the objectors answer no, we reply, that such was not the doctrine or practice of the fathers of the Republic. All civilized men are citizens of some country; shall it be said, that the civilized men of dark complexion alone, are citizens of no country?

Another objection urged to the Amendment is that it changes the basis of representation in the popular branch of Congress, and in the Presidential Electoral College. The justice of this change is self-evident. Suppose a case: A State prescribes that none but men worth ten thousand dollars shall vote or be elected, (and we have had similar pro-

scriptions in almost every State.) Can that be called a Republican Government which says that none, other than men so qualified, shall be represented or represent the great mass of their fellow-citizens in the National Legislature? Is that a republic where ten or a thousand men are allowed to represent not only themselves, but, it may be, the millions of those who have, and had, no voice in their election, and whose opinions and interests may be diametrically opposed to the ruling minority? The Constitutional Amendment merely says if these men cannot vote, they should not be counted in the basis of representation. It is for the good of the nation that all men, all classes, all interests, shall be represented, but if you yield to States' Right doctrine and confine the right to vote to a particular class, then Congress claims the right to say that that class shall only be entitled to representation in proportion to their numbers.

In the National Legislature it would be preposterous to maintain that States equal in total population were equally represented, when in one, only one-half the people were entitled to vote and choose representation; and, in another, the whole participated in the choice. If the States are to be equally represented in Congress, the basis of representation must be equal and uniform, and the measure which makes it so, or attempts to make it so, as does this amendment, commends itself to all true Republicans, all true Democrats—indeed to all who are willing to concede to others the equal and just right they themselves claim.

In our State many persons who have heretofore been honored and trusted by their fellow-citizens in official positions, and who afterwards engaged in, or gave aid and comfort to the enemies of their State and of the Union, are, by the conditions of the Amendment, and by the law under which we are permitted to re-unite with the General Government, deprived of the privilege of again holding office until relieved of that disability by Congress, although they still participate in the selection of officials at the ballot box.

While this prohibition may be considered harsh, the propriety cannot be doubted of placing the reconstructed government in the hands of persons who have not misapprehended nor wilfully violated their official duty and allegiance; or who, having thus forfeited confidence, *now* evince by their words and deeds a spirit of submission to the laws of the land. It is confidently believed that even this restriction will be removed as rapidly as our relations with the General Government will justify.

INTERNAL RESOURCES.

The foundation of all prosperity is in the successful development of our internal resources. Let us sell more than we buy; produce more than we consume, and the balance will be with and among ourselves, for our improvement and refinement as a people.

With natural advantages unsurpassed, we have but to practice the economy, the energy and the arts of our neighbors in other States less favored by nature, to insure for ourselves ease, contentment and material advancement.

Relieved from the old system of labor, which was a continual oppression to the owner as well as the owned, we now have at command the most efficient and reliable class of agricultural laborers to be found in any country, and with the introduction of appliances so aptly fitted to our wants in reducing hand work, our crops will be made more valuable to the producer.

A wise use of the State credit, under careful restrictions, to open avenues through that section of our State, so rich in the precious metals, will draw to us an increased population, and with it a ready demand for our lands and our products.

Then, indeed, if we follow the suggestions of the distinguished citizen who last addressed the General Assembly from the Gubernatorial chair, and "cultivate among ourselves unity of feeling, of opinion, and of action; unity among the people, unity among the Departments of Government—eschewing political excitement, * * * and employing our active energies in rebuilding our own waste places, and developing our neglected resources; whilst others rage and wrangle over ephemeral issues, let us be busy with the real, abiding concerns of life, * * shall we emerge from this period of ostracism, wiser, more thriving, and more respected than ever."

With thankful hearts to the Giver of all Good for that with which we are now blessed, let us by charity, forbearance and fortitude, merit an increase of His bounty.

RUFUS B. BULLOCK.

ATLANTA, GA., July 24, 1868.

REPORT OF THE SUPERINTENDENT OF THE
WESTERN & ATLANTIC RAILROAD.OFFICE WESTERN & ATLANTIC RAILROAD, }
ATLANTA, GA., July 15, 1868, }*To His Excellency, Rufus B. Bullock, Governor, Atlanta, Ga:*

I have the honor to hand you a statement of the earnings, expenses and financial condition of this Road for the nine months ending 30th ultimo.

I also submit, for your inspection and satisfaction several tables made up from the books of the road by Mr. Owen Lynch, General Book-keeper, from which I deduce the following results, and place them in a form that will be more readily comprehended by persons indisposed to examine very critically into such matters.

The gross earnings for the nine months were:	
From Freights	\$518,734.85
From Passengers.....	185,339.35
From Mails.....	13,750.00
From other sources.....	1,004.49
	<hr/>
	\$718,828.69
Expenses as per tables	476,933.15

Net earnings.....	<hr/>	\$241,895.54
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In the above expenses there is charged from thirty to thirty-five thousand dollars that properly belongs to construction, and is usually charged as extraordinary expenses, but as the effect and result are the same to the State we have not cared to separate the items.

On examination of my report for the year ending 30th September, 1867, you will see that, after providing for all our indebtedness, we had left the sum of \$ 31,288 13
 Received for gross earnings for nine months..... 718,828 69
 We owe bal's to connecting roads to June 30, '68. 19,716 57
 We owe bal's to our own Agents to June 30, '68 26 02

\$769,859 41

To balance the above income we have paid:

Current expenses.....	\$476,933 15
On account of old debts.....	7,892 59
Extraordinary Expenses	20,179 23
Materials on Hand paid for.....	8,237 23
Due us from Connecting Roads.....	33,735 81
Due from former Agents.....	7,431 86
Due from present Agents.....	4,479 48
Due from U. S. Government.....	4,735 32
Due from Post Office Department.....	4,312 50
Due from the State of Georgia.....	111,935 82
Cash in hands of Treasurer.....	10,986 42
	<hr/>
	\$769,859 41

This makes the exact financial condition of the Road on 30th of June, 1868, as follows:

We have Material on hand, ready for use and paid for.....	\$ 87,237 22
We have due us from Connecting Roads, (mostly since paid).....	36,735 81
We have due from former Agents.....	7,431 86
We have due from present Agents.....	4,479 48
We have due from U. S. Government.....	4,735 32
We have due from Post Office Department.....	4,312 50
We have due from State of Georgia.....	111,935 82
Cash in hands of Treasurer.....	10,986 42
	<hr/>
	\$264,854 44

We owe to Connecting Roads to June 30, 1868.....	\$19,716 57
We owe to our own Agents.....	26 02
	<hr/>
	\$19,742 59
	<hr/>
	\$245,111 85

The account current herewith rendered by the General Book Keeper shows that we have paid into the Treasury, and on account of the State of Georgia, out of the earnings and effects of the Road during the last nine months, the sum of \$373,189 42, and that whereas, at the commencement of the nine months, the Road was indebted to the State the sum of \$261,253 60, now the State is due the Road the sum of \$111,935 82.

There is a large amount of litigation now embarrassing the Road, growing out of matters occurring previous to my administration, and mostly during the war. These cases have had my most vigilant care and attention, and unless watched with equal or more vigilance, will result unjustly and very injuriously to the interests of the tax payers of the State.

I have thus far been unable to understand why the State Convention of 1865 should be required to repudiate, and did repudiate bonds and other debts created in the service of the late war, and yet by the Courts be held liable for damages accruing to individuals, soldiers and other parties mostly residing out of the State who were engaged in the same struggle. The crippled, the maimed, the widow and the orphan, now struggling for existence, should not be taxed to pay damages to others not a whit more unfortunate than themselves, nor can I comprehend why the soldier, or the speculator sympathizing with the rebellion, and damaged while in pursuit of his object, should be entitled to compensation any more than the widow and the orphan of him who died facing the enemy, or by disease contracted in the service of his country. We were all, by common consent, aboard of the same

ship, and if you compensate the one, you necessarily do so at the expense of the other.

With regard to the Road, embracing all its departments in its varied interests, and its necessary complications with connecting roads and competing lines, and the way and manner in which the officers and employes have discharged their complicated and arduous duties, I have not one word to say. Our works are before the owners of the Road and the public, and whatever judgment may be meted out to us, we shall therewith be content.

Any other information you may need, or other details that may be satisfactory to you in assuming the responsibilities of your office with regard to the Road, will be cheerfully furnished, so far as in my power, at any time you may indicate.

Truly and respectfully,

CAMPBELL WALLACE, *Superintendent.*

GROSS EARNINGS

Of the Western & Atlantic Railroad, from September 30th, 1867, to June 30th, 1868.

MONTHS.	FROM FREIGHT.	FROM PASSENGERS.	FROM MAIL.	MISCELLANE- OUS INCOME.	TOTAL.
October, 1867.....	\$42,271 66	\$21,351 54	\$1,166 67		\$ 64,789 87
November, 1867.....	39,344 50	22,377 89	1,116 67		62,839 06
December, 1867.....	44,627 64	24,624 85	2,841 66	\$ 34 17	72,128 32
January, 1868.....	47,926 30	22,214 91	1,437 50		71,578 71
February, 1868.....	88,922 69	18,371 78	1,437 50		108,731 97
March, 1868.....	87,219 47	17,968 25	1,437 50		106,625 22
April, 1868.....	63,248 33	14,904 69	1,437 50		79,590 52
May, 1868.....	50,683 89	14,596 77	1,437 50		66,718 16
June, 1868.....	54,490 37	28,928 67	1,437 50	970 32	85,826 86
Total.....	\$518,734 85	\$185,339 35	\$13,750 00	\$1,004 49	\$718,828 69

OWEN LYNCH, General Book Keeper

EXPENSES

*Of the Western & Atlantic Railroad, from September 30, 1867,
to June 30, 1868.*

ON ACCOUNT OF	Prior Adminis- tration.	Present Administration.	TOTAL.
TRANSPORTATION.			
For Stationery and Printing.....		\$7,992 06	
“ Loss and Damage.....	\$577 59	1,775 77	
“ Stock Killed.....	36 35	2,619 15	
“ Wages of Watchmen, Labor- ers and Train Hands.....	296 68	51,386 57	
“ Wages of Agents, Clerks, and Conductors.....		73,171 86	
“ Mail.....		467 25	
“ Incidentals.....		3,691 82	
	\$910 00	\$141,104 48	\$142,015 00
MOTIVE POWER.			
For Water.....		\$6,990 00	
“ Wood.....		51,257 75	
“ Oil and Tallow for Engines.....		4,252 83	
“ Materials for Engines.....	\$44 95	20,883 51	
“ Wages of Machinists, Engi- neers and Firemen.....		94,582 44	
	\$44 95	\$177,966 53	\$178,011 48
MAINTENANCE OF WAY.			
For Wages of Supervisors and La- borers.....	\$229 25	\$57,984 95	
“ Tools.....		362 32	
“ Timber and Cross Ties.....	18 00	10,007 44	
“ Repairs of Bridges and Tres- tles.....		707 60	
“ Iron, Spikes and Chairs.....		722 35	
“ Incidentals.....		628 54	
	\$247 25	\$70,413 20	\$70,660 45
MAINTENANCE OF CARS.			
For Labor.....		\$39,765 39	
“ Materials for Cars.....	\$102 74	28,341 24	
“ Oil and Tallow.....		3,178 03	
	\$102 74	\$71,284 66	\$71,387 40
GENERAL EXPENSES.			
For Salaries of Superintendent, Treasurer, Auditor and Law Expenses.....	\$6,514 55	\$12,597 49	
“ Office Expenses.....		3,566 79	
	\$6,514 55	\$16,164 28	\$22,678 83
Total.....	\$7,820 09	\$476,933 15	\$484,753 24

OWEN LYNCH, *General Book-Keeper.*

EXPENDITURES

For Equipment, Buildings and Construction, from September 30, 1867, to June 30, 1868.

ON ACCOUNT OF	Prior Administration.	Present Administration.	TOTAL.
EQUIPMENT.			
For Machinery for Engines..		\$1,161 50	
For Machinery for Cars.		866 46	\$2,027 96
DEPOT BUILDINGS.			
For Agents, Freight, and Division Houses.		\$527 93	
For Tanks, Wells and Wood Sheds.		1,113 01	\$1,640 94
CONSTRUCTION.			
For Real Estate for Division Houses.	\$37 50	\$11 00	
For New Buildings.		3,155 99	
For Masonry and Bridging	35 00	11,261 14	
For Re-laying Track.		2,082 00	
Total...	\$72 50	\$16,510 33	\$16,582 83
	\$72 50	\$20,179 23	\$20,251 73

OWEN LYNCH, General Book-Keeper

FINANCIAL STATEMENT

*Of the Western & Atlantic Railroad, from September 30, 1867, to
June 30, 1868.*

Cash in Treasurer's hands, September 30, 1867..\$	3,067 61
Material on hand, September 30, 1867.....	108,539 33
Amount due by Post Office Department, September 30, 1867.....	3,500 00
Amount due by former Agents, September 30, 1867.....	7,626 11
Amount due by present Agents, September 30, 1867.....	2,310 07
Amount due by connecting Roads and others, September 30, 1867.....	190,008 24
Amount due to Connecting Roads, June 30, 1868,	19,716 57
Amount due to Agents, June 30, 1868.....	26 02
Gross earnings from September 30, 1867, to June 30, 1868.....	718,828 69
	<hr/>
	\$1,053,622 64
Amount paid Current Expenses ¹ from September 30, 1867, to June 30, 1868.....\$	476,933 15
Amount paid Expenses on Prior Account, (see table,) June 30, 1868.....	7,820 09
Amount paid Extraordinary Expenses, (see table,) June 30, 1868.....	20,179 23
Amount paid Extraordinary Expenses on prior Account, June 30 1868.....	72 50
Amount due Connecting Roads and others, September 30, 1867	283,763 23
Amount paid for Materials on hand, June 30, 1868.....	87,237 23
Amount due by Connecting Roads, June 30, 1868.....	33,735 81
Amount due by former Agents, June 30, 1868....	7,431 86
Amount due by present Agents, June 30, 1868..	4,479 48
Amount due by United States Government, June 30, 1868.....	4,735 32
Amount due by Post Office Department, June 30, 1868.....	4,312 50
Amount due by State of Georgia, June 30 1868.....	111,935 82
Cash in Treasurer's hand, June 30, 1868.....	10,986 42
	<hr/>
	\$1,053,622 64

OWEN LYNCH, *General Book-Keeper.*

State of Georgia in Account with the Western & Atlantic Railroad.

D.R.

		\$	75
1867.	To Amount paid Ga. R. R. for Freight on Sacks.....	10,000 00	
December 5...	To Amount paid State Treasurer.....	1,000 00	
December 31	To Amount paid D. Irwin, per order.....	24,187 59	
December 31	To Amount paid by Internal Revenue.....		
1868.			
January 20...	To Amount paid Capt. Rockwell, State Treasurer.....	10,000 00	
February 10.	To Amount paid do., do.....	10,000 00	
February 17.	To Amount paid do., do.....	5,000 00	
February 25..	To Amount paid do., do.....	15,000 00	
March 4.....	To Amount paid do., do.....	15,000 00	
March 31.....	To Amount paid do., do.....	15,000 00	
April 10.....	To Amount paid do., do.....	10,000 00	
April 28.....	To Amount paid do., do.....	15,000 00	
April 30.....	To Amount paid do., do.....	15,000 00	
May 18.....	To Amount paid for Freight on Sacks.....	3 80	
May 18.....	To Amount paid State Treasurer.....	20,000 00	
June 26.....	To Amount paid do.....	25,000 00	
June 30.....	To Conductors' expense to and from Milledgeville after Convicts.....	58 15	
June 30.....	To Amount paid U. S. Government.....	182,939 13	
1867.			\$373,189 42
October 1....	By Balance per account rendered.....		\$261,253 06
1868.			
July 1.....	To balance due the Western & Atlantic Railroad.....		\$111,935 82

OWEN LYNCH, General Book-Keeper

REPORT ON EDUCATION.

BUREAU REFUGEES, FREEDMEN AND ABANDONED LANDS, }
 OFFICE SUPERINTENDENT OF EDUCATION, }
 STATE OF GEORGIA, }

ATLANTA, GA., July 21, 1868.

Hon. R. B. Bullock, Provisional Governor of Georgia :

GOVERNOR: In response to your request for information concerning the educational work of the Northern Aid Societies, I have the pleasure to make the following brief statement. The Freedmen's Bureau and the Aid Societies have co-operated in the work, the societies furnishing teachers, and to some extent buildings; and the Bureau furnishing school-houses, either by building or renting them, and otherwise aiding in every way in its power.

Schools were opened in the principal cities in the State in the Fall of 1865, and were continued until the end of that school year, July 1st, 1866, at an expense of twenty thousand dollars to the societies. During the next school year, from October 1st, 1866, to July 1st, 1867, the societies supported eighty teachers, at an expense of forty-two thousand dollars. Of these eighty teachers, sixty-five were supported by the American Missionary Association; eight by the New England Branch of Freedmen's Union Commission, and seven by the Freedmen's Aid Society of the Methodist Episcopal Church. This last school year they have supported one hundred and twenty-three teachers, at an expense of fifty thousand dollars. Of these one hundred and four were supported by the American Missionary Association, seven by the New England Branch of the Freedmen's Union Commission, and twelve by the Freedmen's Aid Society of the M. E. Church. In addition to the above, the American Missionary Association has expended, during these three years, about thirty thousand dollars in land and buildings for school purposes, and has distributed more than fifty thousand dollars worth of clothing and provisions to the poor of all classes. They also, with the aid of the Bureau, support a large Orphan Asylum, at Atlanta.

The New Jersey and Pennsylvania Union Commission erected two houses in Atlanta, and for two years supported four teachers exclusively for white children. In Macon, they supported one teacher for the same class for one year. They also furnished their pupils with a large part of their clothing and books.

The Bureau has expended for school purposes in this State during this time, about one hundred thousand dollars.

The largest number in these schools during any one month, was thirteen thousand. It is probable that thirty thousand have learned to read; many have received a fair knowledge of Arithmetic and Geography; quite a number

have studied Grammar and United States History, and a few have begun Latin and Algebra.

These societies, together with the Bureau, have labored not simply for the immediate education of a few, but also to establish a permanent Public School System. The teachers who have been employed, have been, for the most part, the best the country afforded, many of them being graduates of Colleges and State Normal Schools. The schools are as good as any to be found in the country.

The officers of these different societies inform me that they hope to be able to continue their work during the next year.

I have the honor to be, very respectfully yours,

E. A. WARE,

Sup't. Ed. for Ga., Bureau R. F. & A. L.

Mr. Smith, of the 36th District, offered the following resolution, to-wit:

Resolved, That two hundred and fifty copies of the Message, with accompanying documents of his Excellency, the Governor, be printed for the use of the Senate.

Mr. Campbell offered the following as an amendment, which was lost, to-wit:

Resolved, That five hundred copies of the Governor's Message be printed, for distribution by members.

The question recurring upon the resolution of Mr. Smith, was then to be put, and the resolution was adopted.

Mr. Merrill offered the following, which was adopted, to-wit:

Resolved, That the several parts of the Message of his Excellency, the Governor, just read, be referred to the appropriate standing committees.

On a call of the roll, the following bills were introduced, and severally read the first time.

By Mr. Smith, of the 7th District, a bill to incorporate the Neptune Fire Company, No. 1, in the town of Thomasville, and to extend to it certain privileges and exemptions.

By Mr. Bruton, a bill to authorize Euzena C. Bower, a minor, to plead and practice law in the several Courts of Georgia.

By Mr. Wooten, a bill to consolidate the offices of Secretary of State and Surveyor General, and to provide a salary therefor.

By Mr. Speer, a bill to incorporate the Macon Street Railroad Company.

Also, to incorporate Defiance Fire Company, No. 5, in the city of Macon.

By Mr. Winn, a bill to be entitled an act to repeal so much of the law as requires a Judge of the Superior Court to reside for twelve months in the Judicial Circuit, for which he is elected, and to require the Judges of the Superior Courts to alternate under the direction of the Chief Justice of the Supreme Court.

Also, a bill to be entitled an act to fix and establish the salaries of the Judges of the Supreme and Superior Courts, Secretary of State, Treasurer and Comptroller General.

By Mr. Merrell, a bill to be entitled an act to carry into effect thirtieth section of the 1st Article of the Constitution of this State.

Mr. Wooten offered the following resolution, to-wit:

Resolved, By the Senate and House of Representatives, That both branches of the General Assembly do convene at 11 o'clock on Thursday, the 30th instant, in the Representative Hall, for the purpose of electing a Comptroller General, Secretary of State, State Treasurer, and Public State Printer.

Mr. Harris offered the following as a substitute for the resolution as offered by Mr. Wooten, to-wit:

Resolved, That both branches of the Legislature convene in the Representative Chamber on Tuesday morning, the 28th instant, at 10 o'clock, for the purpose of electing United States Senators; one for the term expiring on the 4th of March, 1873, and one for the term expiring the 4th of March, 1871. Also, a Secretary of State, a Comptroller General, a Treasurer, and State Printer.

Mr. Merrell moved to lay the original and the substitute on the table, which was agreed to.

Mr. Higbee moved to amend the Rules so as to read "introduction of bills and reading first time Mondays, Wednesdays and Fridays of each week." Reading of bills the second time on "Tuesdays and Thursdays of each week," which was agreed to.

Mr. Speer offered the following, which was adopted, to-wit:

Resolved, That the Secretary be authorized to have printed in pamphlet form, for the use of the Senate, one hundred and fifty additional copies of the Rules of the Senate, with the standing committees of the Senate. Also, the alphabetical list of Senators, together with a list of the officers, with their post offices, and the counties composing the Districts they represent.

Mr. Higbee offered the following, which was adopted, to-wit:

Resolved, That the Secretary of the Senate be directed to inform the House of Representatives that the Senate have

elected the Honorable C. B. Wooten as their President, *pro tempore*.

The Chair announced the following Standing Committees, to-wit :

Committee on Privileges and Elections—Higbee, Chairman ; Hungerford, Graham, Brock, Hicks, Jones, Wallace.

Committee on Petitions—Fain, Chairman ; McArthur, Bowers, Candler, Griffin, (of the 6th District,) Stringer, Campbell.

Committee on Judiciary—Merrell, Chairman ; Brock, Wooten, Candler, Harris, Wellborn, Bradley.

Committee on Finance—Harris, Chairman ; McWhorter, Winn, Jones, Nunnally, Welch, Bruton.

Committee on General Education—Winn, Chairman ; Smith, (of the 7th District,) Hinton, Sherman, Nisbett, Campbell.

Committee on the State of the Republic—Brock, Chairman ; Burns, Richardson, Adkins, Collier, Moore, Bradley.

Committee on Internal Improvements—Nunnally, Chairman ; Speer, Welch, Bowers, Anderson, Colman, Hungerford.

Committee on Lunatic Asylum—Smith, (of the 36th District,) Chairman ; Harris, McArthur, Nisbett, Griffin, (of the 21st District,) Merrell, Hicks.

Committee on Deaf and Dumb Asylum—Dickey, Chairman ; Richardson, Fain, Higbee, McCutchen, Corbitt, Merrell.

Committee on Institution of the Blind—Speer, Chairman ; Griffin, (of the 21st District,) Jordan, Collier, Smith, (of the 7th District,) Wooten, Hinton.

Committee on Banks—Wellborn, Chairman ; Bruton, Griffin, (of the 6th District,) Hungerford, Graham, Burns, Welch.

Committee on Penitentiary—Harris, Chairman ; McWhorter, Candler, Holcombe, Stringer, Griffin, (of the 6th District,) Brock.

Committee on the Military—McWhorter, Chairman ; Anderson, Adkins, McCutchen, Moore, Dickey, Wallace.

Committee on Public Buildings—Hungerford, Chairman ; Speer, Winn, Sherman, Merrell, Wooten, Smith, (of the 36th District.)

Committee on Agriculture and Manufactures—Holcombe, Chairman ; Dickey, Bowers, Anderson, Collier, Adkins, Corbitt.

Committee on Printing—Sherman, Chairman ; Welch, Hinton, Richardson, Nisbett, Wellborn, Jones.

Committee on Auditing—Smith, (of the 7th District,) Chairman ; McArthur, Bruton, Candler, Griffin, (of the 21st District,) Colman, Stringer.

Committee on Journals—McArthur, Chairman ; Wellborn, Smith, (of the 36th District,) Holcombe, Corbitt, Dickey, Fain.

Committee on Enrollment—Higbee, Chairman ; McCutchen, Welch, Jordan, Moore, Hicks, Merrell.

Committee on Engrossing—Candler, Chairman ; Brock, Graham, Burns, Jordan, Colman, Fain.

On motion of Mr. Speer, the Senate adjourned until tomorrow morning, 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Saturday, July 25th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Traywick.

The Journal of yesterday was read and approved.

The following message was received from the House of Representatives, by Mr. Hardin, the Clerk thereof, and was read as follows, to wit :

Mr President: The House of Representatives have elected the Hon. W P Price, of the county of Lumpkin, their Speaker *pro tempore*.

The House of Representatives have also elected L. Carrington, Esq., of the county of Baldwin, their Clerk *pro tempore*.

Mr. Candler moved to take up the petition of W. H. Maddox, contesting the seat of the Senator from the 30th District ; which was agreed to.

On motion of Mr. Candler, the same, with other memorials and petitions of like character, was referred to the Committee on Privileges and Elections.

Mr. Smith, of the 7th District, presented a memorial for relief in the behalf of Ransom Montgomery, a person of color.

Mr. Speer moved to refer the memorial to the Committee on Petitions ; which was not agreed to.

On motion, the same was referred to a Special Committee without reading.

The Chair announced as such committee Messrs. Smith, of the 7th, Candler, Wooten, Winn, and Griffin, of the 21st.

Mr. Bruton offered the following resolution; which was adopted, to wit:

Whereas, There is no appropriate standing committee for the consideration of the report of Provisional Governor Ruger, referred to in the message of His Excellency the Governor; be it

Resolved, That a Special Committee of five be appointed to whom said report shall be referred, and that said committee shall have power to send for persons and papers.

The Chair announced as the committee under the above, Messrs. Bruton, Merrell, Hungerford, Wellborn, and Fain.

Mr. Winn offered the following resolution, to wit:

Whereas, Two thousand copies of Irwin's Revised Code have been purchased by the State for the use of the civil officers thereof, and no provision made for the distribution of the same; and whereas the said Code has been adopted by the Convention; be it therefore

Resolved, by the Senate and House of Representatives, in General Assembly met, That His Excellency the Governor cause the said Revised Code to be distributed to the several civil officers of the State; and should there be a deficiency in the number of copies now on hand of said Code for the purposes aforesaid, His Excellency the Governor is hereby authorized to purchase a sufficient number of copies of said Code, with an appendix thereto, containing the new Constitution and the amendment of the Constitution of the United States, with explanatory notes to supply said deficiency; and that he pay for the same out of any money in the Treasury not otherwise appropriated.

Mr. Higbee moved to lay the resolution on the table for the present; which was agreed to.

Mr. Speer offered the following resolution, to wit:

Resolved, by the General Assembly, That the thanks of the Legislature are due and are hereby tendered to the late Provisional Governor, General T. H. Ruger, Provisional Treasurer Captain C. F. Rockwell, and Provisional Comptroller Captain Charles Wheaton, for the able and impartial manner in which they have performed the duties required of them as provisional officers of this State; and that His Excellency Governor Bullock be and he is hereby requested to transmit a copy of the within resolution to each of the aforesaid officers.

Mr. Merrell moved to lay the resolution on the table for the present; which was agreed to.

Mr. Candler offered the following; which was adopted, to wit:

Resolved that His Excellency the Governor be requested to transmit to the Senate all the papers and evidence which may be in his possession, pertaining to the contested seats of Senators.

Mr. Candler offered the following resolution, to wit:

Whereas, Ex-Governor Joseph E. Brown, one of the ablest lawyers in the Republican party of Georgia, as well as other persons distinguished for their knowledge of constitutional law, held during the late election canvass that persons of color were not entitled to hold office under the existing Constitution; and whereas such persons hold seats as Senators on this floor; and whereas there are laws of vital importance to the people of Georgia to be enacted by the General Assembly, the validity of which should not be rendered uncertain because of the participation in their enactment by persons not entitled, under the Constitution, to so participate; therefore be it

Resolved, That the Committee on Privileges and Elections be directed to inquire into the eligibility of the several persons of color holding seats as Senators, and report at the earliest day practicable.

Mr. Hungerford moved to lay the resolution on the table.

On motion of Mr. Holcombe, the yeas and nays were recorded.

Those voting in the affirmative, are Messrs:

Bowers,	Dickey,	Sherman,
Bradley,	Griffin, 6th District,	Smith, 7th District,
Brock,	Harris,	Smith, 36th District,
Bruton,	Higbee,	Speer,
Campbell,	Hungerford,	Stringer,
Colman,	Jones,	Wallace,
Corbitt,	McWhorter,	Welch.

Those voting in the negative, are Messrs :

Burns,	Hicks,	McCutchen,
Candler,	Hinton,	Wellborn,
Fain,	Holcombe,	Winn,
Graham,	Jordan,	Wooten.
Griffin, 21st District,	McArthur,	

Yeas 21; nays 14. So the motion to lay on the table prevailed.

Mr. Burns offered the following resolution, to-wit:

Resolved, That John W. Burke, State Printer, is hereby instructed to hold himself in readiness to execute any print-

ing that may be deemed necessary by either branch of the General Assembly.

Mr. Harris moved that the resolution be referred to the Committee on the Judiciary; which was agreed to.

On motion of Mr. Speer, the Senate adjourned until Monday morning, at 10 o'clock.

SENATE CHAMBER.

ATLANTA, GEORGIA,

Monday, July 27th, 1868.

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Griffin, Honorable Senator from the 21st District.

The Journal of Saturday was read and approved.

Mr. Candler gave notice, during the reading of the Journal, that he would move to reconsider so much of the Journal of Saturday as relates to the tabling of the resolution offered by himself, in relation to the eligibility of the colored members of the Senate, having in view the reference of said resolution to the Committee on Privileges and Elections.

After the reading of the Journal, and in conformity with previous notice, Mr. Candler moved to take from the table for reconsideration the resolution offered by himself on Saturday.

Mr. Higbee moved to lay the motion on the table.

Upon disagreeing to lay the motion on the table, the ayes and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Bowers,	Griffin, 6th Dist.,	Sherman,
Bradley,	Harris,	Smith, 36th Dist.,
Brock,	Higbee,	Speer,
Campbell,	Hungerford,	Stringer,
Colman,	Jones,	Wallace,
Corbitt,	McWhorter,	Welch.
Dickey,		

Those voting in the negative, are Messrs :

Anderson,	Hicks,	Nisbett,
Bruton,	Hinton,	Nunnally,
Burns,	Holcombe,	Richardson,
Candler,	Jordan,	Smith, 7th Dist.,
Fain,	Merrell,	Wellborn,
Graham,	McArthur,	Winn,
Griffin, 21st Dist.	McCutchen,	Wooten.

Ayes, 19; nays, 21. So the motion to lay the motion for reconsideration on the table did not prevail.

The question then recurred upon the motion of Mr. Candler to reconsider.

The question being put, on motion of Mr. Candler, the ayes and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Anderson,	Hicks,	Nisbett,
Burns,	Higbee,	Munnally
Candler,	Holcombe,	Smith, 7th Dist.,
Fain,	Jordan,	Wellborn,
Graham,	McArthur,	Winn,
Griffin, 21st Dist.,	McCutchen,	Wooten,

Those voting in the negative, are Messrs :

Bowers,	Dickey,	Richardson,
Bradley,	Griffin, 6th Dist.,	Sherman,
Brock,	Harris,	Smith, 36th Dist.,
Bruton,	Higbee,	Speer,
Campbell,	Hungerford,	Stringer,
Colman,	Jones,	Wallace,
Corbitt,	McWhorter,	Welch.

Ayes, 18; nays, 21. So the motion to reconsider did not prevail.

The following message was received from the House of Representatives, by Mr. Hardin, their Clerk :

Mr. President: The House of Representatives have adopted a resolution to bring on the election of United States Senators, State House Officers, and State Printer; in which resolution they ask the concurrence of the Senate.

Mr. Higbee moved to take up the resolution of the House of Representatives bringing on the election of United States Senators, State House Officers, and State Printer.

Mr. Burns moved to amend the resolution of the House by striking out that portion requiring the election of State House Officers.

Mr. Higbee moved as a substitute, to strike out the second resolution; also, all after 1873 of the first clause, and all after 1871 of the second clause of the first resolution, which was agreed to, and the resolution, as amended, was adopted.

On motion of Mr. Higbee, the Secretary was directed to transmit the same forthwith to the House of Representatives.

The following bills were introduced and severally read the first time, to-wit :

By Mr. McArthur, a bill to be entitled an act to repeal an act assented to December 16th, 1857, entitled an act to repeal

the second section of an act to amend an act entitled an act to give all persons employed on steamboats, and other water-craft, on the Chattahoochee, Altamaha and Ocmulgee rivers, a lien on said steamboats or water-craft, for his or their wages, and for wood and provisions furnished, and to point out and facilitate the mode of collection of the same, assented to December 11th, 1841, so as to include the Savannah river within the provisions of the same, and for other purposes, assented to December 27th, 1842.

By Mr. Speer, a bill to be entitled an act to incorporate the Nutting Banking Company in the city of Macon.

Also, an act entitled an act to incorporate the Etowah Canal and Water Works Company.

By Mr. Brock, a bill to be entitled an act to prohibit the sale of spirituous liquors on election days.

Also, a bill to be entitled an act to prohibit all persons from voting who have not paid their taxes, and for other purposes.

Also, a bill to be entitled an act to prescribe the manner in which the Homestead allowed to each head of a family is to be set apart.

By Mr. Wellborn, a bill to be entitled an act to alter and amend section 649 of the revised Code of Georgia, so far as the same relates to the age of persons subject to work on public roads.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have adopted the following resolutions:

A resolution to suspend levies and sales under executions, in this State, until the General Assembly, now in session, shall take final action upon the Relief and Homestead measures in the Constitution of said State; and have directed me to transmit the same forthwith to the Senate.

A resolution to authorize the Treasurer to make certain advances to the officers and members of this General Assembly, and have instructed me to transmit the same forthwith to the Senate.

Mr. Harris moved to take up the resolution of the House of Representatives, suspending levies and sales under executions in this State until the General Assembly, now in session, shall take final action upon the Relief and Homestead measures, which was agreed to.

Mr. Harris moved that the Senate do now concur in the above resolution of the House of Representatives.

Mr. Speer called for the previous question, which was sustained.

The main question was then ordered to be put, a division called for, and the resolution as agreed to by the House of Representatives, was concurred in.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: I am directed by the House of Representatives to inform the Senate that they have concurred in the amendments proposed by the Senate to a resolution to bring on the election of United States Senators, State House Officers and State Printer.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives have adopted the following resolutions:

A resolution to instruct his Excellency the Governor to give notice, by proclamation, to the civil officers and citizens of this State of the expiration of Military Government in this State:-

Also, a resolution to bring on the election of Secretary of State, State Treasurer, Comptroller General, Surveyor General and State Printer.

Mr. Harris moved that the Senate do now concur in the resolution of the House of Representatives authorizing the Treasurer to make certain advances to the officers and members of the General Assembly.

Mr. Holcombe moved to amend the resolution by inserting "that the Treasurer advance to officers and members of this General Assembly per diem pay, not to exceed six dollars."

Mr. Merrell moved, as a substitute to the amendment of Mr. Holcombe, "that the State Treasurer advance to officers and members of the General Assembly per diem pay, not to exceed seventy-five per cent. on the amount of per diem and mileage paid the General Assembly of 1866."

Mr. Wooten called for the previous question, which was sustained.

The main question was then ordered upon the amendment of Mr. Merrell, which was agreed to.

The question recurring upon the passage of the resolution of the House, as amended, was then ordered to be put, and the resolution as amended was adopted.

The hour of adjournment having arrived, the President announced the Senate adjourned until to-morrow morning, at 10 o'clock.

SENATE CHAMBER,
ATLANTA, GEORGIA,
Tuesday, July 28th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Prettyman.

The Journal of yesterday was read and approved.

During the reading of the Journal, Mr. Nunnally gave notice that he would move to reconsider so much of the action of the Senate on yesterday as relates to the adoption of the resolution of the House of Representatives, in relation to the suspension of levies and sales.

In accordance with previous notice, Mr. Nunnally moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the adoption of the resolution of the House suspending levies and sales, which was agreed to. Mr. Nunnally then offered, as an amendment to the resolution of the House, the following, to-wit :

To strike out, after the word "except," where it first occurs, the words "debts contracted since the 1st day of June, 1865," and also strike out "executions and sales," and insert in lieu, "and advertised sales under executions."

Mr. Wooten moved to refer the whole matter to the Committee on the Judiciary, which was not agreed to.

Mr. Adkins offered the following, as an amendment to the amendment of Mr. Nunnally, to-wit :

To insert, after the word "except," "for wages due for labor."

The question recurring upon the amendment proposed by Mr. Nunnally, and as amended by Mr. Adkins, was ordered to be put.

On motion, the ayes and nays were required to be recorded.

Those who voted in the affirmative, are Messrs :

Adkins,	Griffin, 21st Dist.,	Nunnally,
Bowers,	Harris,	Sherman,
Bradley,	Jones,	Smith, 7th Dist.,
Brock,	Jordan,	Smith, 36th Dist.,
Campbell,	Merrill,	Speer,
Corbitt,	McWhorter,	Welch,
Dickey,	Nisbet,	Winn.
Griffin, 6th Dist.,		

Those voting in the negative, are Messrs :

Aderson,	Hicks,	Moore,
Bruton,	Hinton,	Stringer,
Candler,	Holcombe,	Wallace,
Colman,	Hungerford,	Welbourne,
Fain,	McArthur,	Wooten.
Graham,	McCutchen,	

Ayes 22; nays 17. So the resolution, as amended, was adopted.

On motion of Mr. Speer, the Secretary was directed to transmit the action of the Senate forthwith to the House of Representatives.

Mr. Higbee, from the Committee on Enrollment, made the following report:

Mr. President: The Committee on Enrollment report, as duly enrolled and signed by the Speaker of the House of Representatives, and President of the Senate, the following resolution, to-wit:

A joint resolution, ratifying the amendment to the Constitution of the United States, proposed by the Thirty-ninth Congress.

Also, as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following resolution, to-wit:

A resolution to bring on the election of United States Senators.

Respectfully submitted,

E. I. HIGBEE, *Chairman.*

The Senate took up the resolution of the House of Representatives, as reported on yesterday, to bring on the election of Secretary of State, State Treasurer, Comptroller General, Surveyor General and State Printer.

On motion of Mr. Holcombe, the resolution was laid on the table for the present.

The resolution of the House, reported on yesterday, instructing his Excellency, the Governor, to give notice, by proclamation, of the expiration of Military Government in this State, was taken up as part of the unfinished business of yesterday, and, on motion, the same was laid on the table.

On motion, the rules were suspended, and Mr. Higbee offered the following resolution, which was adopted, to-wit:

Resolved, That the Secretary of the Senate be authorized to procure a sufficiency of stationery for the use of the Senate.

On motion, the Senator from the 24th District, was granted leave of absence, for a few days, after to-morrow.

On motion, the Senator from the 44th District was granted leave of absence for a few days, after Saturday.

On motion, the Senator from the 37th District was granted leave of absence for a few days, after to-morrow.

The following bills were severally read the second time and referred to the Committee on the Judiciary, to-wit:

A bill to incorporate the Neptune Fire Company, in the town of Thomasville.

A bill to authorize Euzena C. Bower, a minor, to practice law in the several Courts of Georgia.

A bill to incorporate the Macon Street Railroad Company, and for other purposes.

A bill to be entitled an act to incorporate a Fire Company in the city of Macon, to be known by the name of Defiance Fire Company, No. 5.

A bill to be entitled an act to carry into effect the thirtieth section of the first Article of the Constitution of this State.

A bill to be entitled an act to repeal an act assented to December 16th, 1857, entitled an act to repeal the 2d section of an act to amend an act entitled an act to give all persons employed on steamboats and other water-craft on the Chattahoochee, Altamaha and Ocmulgee rivers, a lien on said steamboats or water-craft, for his, her, or their wages, and for wood and provisions furnished, and to point out and facilitate the mode of collection of the same as assented to December 11th, 1841, so as to include the Savannah river within the provisions of the same, and for other purposes, assented to December 27th, 1842.

The following bill was read the second time without reference, to-wit :

A bill to consolidate the offices of Secretary of State and Surveyor General, and to provide a salary therefor.

The following bill was read the second time and referred to the Committee on Banks, to-wit :

A bill to be entitled an act to incorporate the Nutting Banking Company in the city of Macon.

The hour of 12 M. having arrived, Mr. Higbee offered the following resolution, which was adopted, to-wit :

Resolved, That the Senate do now proceed to vote one time, *viva voce*, for a person for Senator in Congress for the unexpired term of six years, commencing the 4th day of March, 1867.

Mr. Harris announced the name of Joseph E. Brown.

Mr. Candler announced the name of Alexander H. Stephens.

Mr. Bowers announced the name of Joshua Hill.

The Senate then proceeded to vote *viva voce*, for a Senator in Congress for the unexpired term of six years, commencing the 4th day of March, 1867; with the following result :

Those voting for Mr. Brown, are Messrs :

Adkins,	Colman,	Griffin, 6th Dist.,
Bradley,	Conley,	Griffin, 21st Dist.,
Brock,	Corbitt,	Harris,
Bruton,	Graham,	Higbee,

Hungerford,	Richardson,	Speer,
Jones,	Sherman,	Stringer,
Merrill,	Smith, 7th Dist.,	Wallace,
McWhorter,	Smith, 36th Dist.,	Welch.

Those voting for Mr. Stephens, are Messrs :

Anderson,	Hinton,	Nisbet,
Burns,	Holcombe,	Nunnally,
Candler,	McArthur,	Wellborn,
Fain,	McCutchen,	Winn,
Hicks,	Moore,	Wooten.

Those voting for Mr. Hill, are Messrs :

Bowers,	Dickey,	Jordan.
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Voted for Mr. Hopkins—Campbell.

Brown, 24 ; Stephens, 15 ; Hill, 3 ; Hopkins, 1.

Mr. Higbee offered the following resolution, which was adopted, to-wit :

Resolved, That the Senate do now proceed to vote one time *viva voce*, for a Senator in Congress for the unexpired term of six years, commencing on the 4th day of March, 1865.

Mr. Adkins nominated Foster Blodgett.

Mr. Smith, of the 7th District, nominated James L. Seward.

Mr. Sherman nominated Amos T. Akerman.

Mr. Nunnally nominated H. V. M. Miller.

The Senate then proceeded to vote *viva voce*, for a Senator in Congress for the unexpired term of six years, commencing the 4th day of March, 1865, with the following result :

Those voting for Mr. Blodgett, are Messrs :

Adkins,	Higbee,	Richardson,
Bradley,	Hungerford,	Speer,
Campbell,	Jones,	Stringer,
Colman,	Merrell,	Wallace,
Conley,	McWhorter,	Welch.
Harris,		

Those voting for Mr. Miller, are Messrs :

Anderson,	Holcombe,	Nunnally,
Burns,	McCutchen,	Wellborn,
Candler,	Moore,	Winn,
Fain,	Nisbet,	Wooten.
Hinton,		

Those voting for Mr. Seward, are Messrs :

Bruton,	Griffin, 6th Dist.,	Jordan,
Corbitt,	Griffin, 21st Dist.,	Smith, 7th Dist.
Graham,	Hicks,	

Those voting for Mr. Akerman, are Messrs :

Bowers, Dickey, Sherman.
Brock,

Blodgett, 16 ; Miller, 13 ; Seward, 8 ; Akerman, 4.

On motion of Mr. Higbee, the Senate adjourned until to-morrow morning, at 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Wednesday, July 29th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev Mr. Brantley, D. D.

The Journal of yesterday was read and approved.

Mr. Burns presented a petition from sundry citizens of Floyd county; which was read, and, on motion, referred to the Committee on Finance.

Mr. Hungerford presented a memorial from W. H. Noble, of Randolph county, contesting the seat of Mr. Moore.

On motion, the rules were suspended, the petition taken up and read, and referred to the Committee on Privileges and Elections.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives have adopted the following resolution:

Resolved, That His Excellency the Governor be requested to furnish members of the Legislature, and all civil officers of this State, with a copy of the Constitution, ordinances and resolutions passed by the Georgia Constitutional Convention.

And I am directed to transmit the same forthwith to the Senate.

On motion, the Senate concurred in the foregoing resolution of the House of Representatives.

On motion, the rules were suspended, and Mr. Harris reported the following resolution, which was adopted, to-wit:

Resolved, That the Senate Committee on the State of the Republic, on Finance, Deaf and Dumb Asylum, Penitentiary, Education, and Institution for the Blind, be consolidated with the corresponding committees of the House, the House consenting thereto.

The following bills were introduced and severally read the first time, to-wit:

By Mr. Bradley, a bill to protect citizens in their privileges and immunities.

By Mr. Smith, of the 7th District, a bill to be entitled an act to incorporate the Cherokee Manufacturing Company, of Floyd county, Georgia.

By Mr. Welch, a bill to prevent and punish duelling.

Also, a bill to make legal any rate of interest agreed upon.

By Mr. Adkins, a bill to encourage loyalty, good order and decency.

By Mr. Speer, a bill to extend the provisions of an act entitled an act to authorize the formation of two fire companies in the city of Macon, to be called the Protection Fire Company No. 1, and Ocmulgee Fire Company No. 2, of the city of Macon, and to confer on the members thereof certain privileges and exemptions, approved February 7th, 1854, to Mechanics' Fire Company No. 4, of the city of Macon, any law to the contrary notwithstanding.

By Mr. Anderson, a bill to alter and amend the usury laws of this State.

Also, a bill to protect planters from imposition in the State of Georgia from sale of fertilizers.

Also, a bill to incorporate the Fort Valley Loan and Trust Company.

By Mr. Hinton, a bill to amend the oath of grand jurors in this State.

Also, a bill to prevent stock from running at large.

By Mr. Higbee, a bill to amend an act entitled an act to fix the time of holding the Supreme Court, and to regulate proceedings therein.

By Mr. Nunnally, a bill to be entitled an act to incorporate the Georgia Masonic Mutual Life Insurance Company.

By Mr. Sherman, a bill to be entitled an act to authorize and require the Governor to declare all executive, judicial and ministerial offices of this State vacant where the persons elected cannot qualify and take their commissions on account of being disqualified under the 14th article of the Constitution of the United States:

By Mr. Candler, a bill as to insolvent costs.

By Mr. Merrell, a bill to be entitled an act to change the laws of this State wherever the word Milledgeville occurs, as Capital of the State, the word Atlanta to be substituted.

By Mr. Burns, a bill to be entitled an act to exempt from taxation all foreign capital invested in the manufacture of cotton, wool or other fibrous material.

Mr. Hungerford offered the following resolution, which was adopted, to-wit:

Resolved, That the Mayor and members of the City Council of Atlanta be invited to seats on the floor of the Senate.

Mr. Winn offered the following resolution, to-wit:

Resolved, That all salaries, fees, costs, and the per diem of members of the Legislature, fixed by Irwin's Code, be reduced — per cent., and that when reduced, said salaries, fees, costs and the per diem of members shall be paid in specie or its equivalent; and that the Judiciary Committee be instructed to report a bill for that purpose.

Mr. Higbee moved to refer the resolution to the Committee on the Judiciary; which was agreed to.

Mr. Bruton offered the following resolution, which was adopted, to-wit:

Resolved, That the Keeper of the Penitentiary be instructed to report as early as practicable, to the General Assembly, the number of convicts in the same, and the time and offense for which each has been sentenced, designating the white and colored.

Mr. Higbee offered the following resolution, which was adopted, to-wit:

Resolved, That the Secretary be directed to furnish each member of the Senate with a copy of the acts of the General Assembly of the State of Georgia, passed in Milledgeville at the session commencing December, 1866: *provided* said copies are to be found in the State library.

Mr. Smith, of the 36th District, offered the following resolution, which was adopted, to-wit:

Resolved, That a committee of three be appointed to co-operate with a like committee appointed by the House, to investigate and examine the books and papers of the Western and Atlantic Railroad.

The Chair announced Messrs. Smith, of the 36th, Bruton and Burns as the committee under the above resolution.

Mr. Winn moved to take from the table the resolution offered by him in relation to the distribution of Irwin's Code to the civil officers of this State; which was agreed to.

Mr. Winn then asked permission to withdraw the resolution; which was agreed to.

On motion, the Senate took a recess until ten minutes before 12 o'clock. On re-assembling,

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives are now ready to receive the Senate in their hall, for the purpose of com-

paring the vote of the two Houses on yesterday, and proceeding with the election of United States Senators.

On motion of Mr. Higbee, the Senate repaired to the hall of the House of Representatives, and after being seated, the General Assembly proceeded to elect a United States Senator for the unexpired term of six years, commencing the 4th day of March, 1867. On taking the vote *viva voce*, the Hon. Joshua Hill, of the county of Morgan, having received a majority of all the votes given, was declared duly elected.

They then proceeded to elect a Senator for the unexpired term of six years, commencing the 4th day of March, 1865. On taking the vote *viva voce*, the Hon. Homer V. M. Miller, of the county of Fulton, having received a majority of all the votes given, was declared duly elected.

On motion, the Senate returned to their chamber.

On motion of Mr. Higbee, the Senate adjourned until tomorrow morning at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Thursday, July 30, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Prettyman.

The roll was called and the Journal of the previous day read and approved.

On motion of Mr. Candler, the rules were suspended for the purpose of taking up bills for a third reading.

The following bill was taken up and read the third time, to-wit:

A bill to be entitled an act to fix the salaries of Judges of the Supreme and Superior Courts, Secretary of State, Treasurer and Comptroller General.

On motion the same was taken up by sections.

Mr. Anderson moved to amend the first section of the bill by inserting after the words "two thousand," the words "and five hundred."

Mr. Speer moved to amend the motion by striking out of the section the words "two thousand," and inserting in lieu thereof the words "three thousand."

Mr. Candler called for a division of the question, so that the vote should be first taken on the proposition to strike out.

The division of the question was allowed.

After debate, on motion of Mr. Speer, the previous ques-

tion was ordered, the main question was put, and the motion to strike out prevailed.

Mr. Nunnally moved to fill the blank with twenty-five hundred.

Mr. Speer moved to fill the same with thirty-five hundred.

Mr. Stringer proposed to fill the blank with twenty-one hundred.

After debate, on motion of Mr. Hungerford, the previous question was ordered; the main question was put, and the motion to fill the blank with "thirty-five hundred," was lost.

The question recurring on Mr. Nunnally's motion to fill the blank with "twenty-five hundred," the same was agreed to.

The section, as amended, was then agreed to.

Section second was then taken up and agreed to.

Mr. Burns moved to strike out the third section; which motion prevailed.

Mr. Brock moved to insert, as section third, the following, which was agreed to:

And be it further enacted, by the authority aforesaid, That the Solicitors General receive for their services as such two hundred and fifty dollars, in specie, per annum.

Section fourth was then adopted.

The bill as amended was then passed, and the Secretary directed to transmit the same forthwith to the House of Representatives.

Leave of absence was granted to the Senator from the 21st District, on account of indisposition of family, from and after to-morrow; also, to the Senators from the 32d and 33d Districts, for a few days.

On motion, the rules were suspended, and the following bills were introduced and severally read the first time:

By Mr. Holcombe, a bill to be entitled an act to amend an act entitled an act to incorporate the Georgia Air Line Railroad Company, and to confer on them certain powers and privileges therein mentioned.

By Mr. Hungerford, a bill to be entitled an act to amend the charter of the Macon and Augusta Railroad Company.

Also, a bill to be entitled an act to extend the aid of the State to the Macon and Augusta Railroad Company

On motion of Mr. Wooten, the rules were suspended, and the Senate took up for a third reading the bill to consolidate the offices of Secretary of State and Surveyor General.

The bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have adopted the following resolution, to-wit:

A resolution authorizing the Superintendent of the Western and Atlantic Railroad to pay to Ransom Montgomery five hundred and sixty-two dollars and fifty cents for services rendered said road, to further employ him on said road, and to provide a home for said Ransom Montgomery during his life.

And I am directed to transmit the same forthwith to the Senate.

The following message was received from His Excellency the Governor, by Mr. Davis, his Secretary, to-wit:

Mr. President: I am directed by His Excellency the Governor to deliver to the Senate a sealed communication, containing certain nominations, and asking confirmation of the same.

Mr. Harris moved that the Senate go into executive session on the message of the Governor, which had just been read. The motion prevailed.

Mr. President ordered the Senate to be cleared.

Mr. Candler raised the point of order that it was optional with the Senate whether it should go into secret session or remain in open session.

The Chair overruled the point of order.

Mr. Candler appealed from the decision of the Chair.

After debate, the following message was received from His Excellency the Governor, by Mr. de Graffenried, his Secretary:

Mr. President: I am directed by His Excellency the Governor to deliver to the Senate a communication in writing:

EXECUTIVE DEPARTMENT,
ATLANTA, GA., July 30th, 1868.

To the Senate: I respectfully ask permission to withdraw my communication just delivered to the Senate, asking for certain nominations.

RUFUS B. BULLOCK, *Governor.*

Mr. Harris moved that the Governor have leave to withdraw his communication just delivered to the Senate, asking for certain nominations.

Pending the consideration of the motion of Mr. Harris, the hour of 1 o'clock P M. having arrived, the President declared the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Friday, July 31st, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Traywick.

The Journal of the previous day was read and approved.

The Senate resumed the unfinished business of yesterday, which was the appeal taken by Mr. Candler from the decision of the Chair, deciding that the Senate should go into executive session with closed doors.

The Chair explained that there was no executive session, until the doors were closed, whereupon Mr. Candler withdrew his appeal from the decision of the Chair.

Mr. Merrell, moved to reconsider so much of the action of the Senate yesterday as referred to going into executive session, which was agreed to.

Mr. Merrell called for the previous question upon the motion of Mr. Harris, as made on yesterday, to-wit: That the Governor have leave to withdraw his communication to the Senate asking for certain nominations.

The call for the previous question was sustained.

The main question was then ordered to be put, and the Governor permitted to withdraw his message.

On motion the rules were suspended and Mr. Higbee reported the following resolution, to-wit:

Resolved, That the following additional rules for the government of the Senate in executive session be added to those already adopted by the Senate, to-wit:

SECTION 1. When nominations shall be made by the Governor, to the Senate, a future day shall be assigned for their consideration, unless the Senate direct otherwise.

SEC. 2. When acting on executive business, the Senate shall be cleared of all persons, except the Senators and Secretary.

SEC. 3. All information or remarks touching or concerning the character or qualifications of any person nominated by the Governor to office, shall be kept secret.

SEC. 4. The Legislative and executive proceedings of the Senate shall be kept in separate and distinct books.

SEC. 5. All nominations approved by the Senate, or otherwise definitely acted on, shall be transmitted by the Secretary to the Governor, with the determination of the Senate thereon, from day to day, as such proceedings may occur; but no further extract from the executive journal shall be furnished, published, or otherwise communicated, during any session, except by special order of the Senate.

Mr. Candler moved, as a substitute, that a committee of three be appointed to report rules for the government of the Senate, in executive session, and that the rules proposed by Mr. Higbee be referred to said committee, which motion was lost.

Mr. Higbee then moved the previous question, which was sustained.

The main question was then ordered upon the adoption of the resolution by sections, and section first was agreed to.

And upon the question "shall section second be adopted," the ayes and nays were required to be recorded.

Those voting in the affirmative are, Messrs :

Adkins,	Corbitt,	McWhorter,
Bowers,	Dickey,	Sherman,
Bradley,	Griffin, 6th District,	Smith, 36th Dist.,
Brock,	Harris,	Speer,
Bruton,	Higbee,	Stringer,
Campbell,	Hungerford,	Wallace,
Colman,	Merrill,	Welch.

Those who voted in the negative are, Messrs :

Anderson,	Holcombe,	Nunnally,
Burns,	McArthur,	Wellborn.
Candler,	McCutchen,	Winn,
Fain,	Moore,	Wooten.
Hicks,	Nisbett,	

Ayes, 21; nays 14. So the second section was adopted.

Sections 3, 4 and 5 were then adopted.

The question then recurred on the adoption of the rules as a whole.

On motion the ayes and nays were required to be recorded.

Those who voted in the affirmative are, Messrs :

Adkins,	Dickey,	McWhorter,
Bowers,	Griffin, 6th Dist.,	Sherman,
Bradley,	Harris,	Smith, 36th Dist.,
Brock,	Higbee,	Speer,
Campbell,	Hungerford,	Stringer,
Colman,	Jones,	Wallace,
Corbitt,	Merrill,	Welch.

Those who voted in the negative are, Messrs :

Anderson,	Hicks,	Nisbett,
Bruton,	Holcombe,	Nunnally,
Burns,	McArthur,	Wellborn,
Candler,	McCutchen,	Winn,
Fain,	Moore,	Wooten.

Ayes, 21; nays, 15. So the rules were adopted as a whole.

Mr. Speer moved that when the Senate adjourns it shall stand adjourned until Monday morning, at 10 o'clock, which was agreed to.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives have rejected the following resolution of the Senate, to-wit:

A resolution consolidating certain committees of the Senate with corresponding committees of the House.

The resolution of the House of Representatives authorizing the Superintendent of the Western & Atlantic Rail Road to pay to Ransom Montgomery five hundred and sixty-two dollars and fifty cents, for services rendered said road, and to provide a home for said Ransom Montgomery, during his life was next taken up and read.

Mr. Candler moved that the Senate do now concur in the resolution of the House.

Mr. Higbee moved to refer the resolution to the Committee on the Judiciary.

Mr. Hungerford called for the previous question, which was sustained.

The main question was then put upon the motion of Mr. Higbee, to refer the resolution to the Committee on the Judiciary, which was not agreed to.

The question then recurred upon the adoption of the resolution of the House, which was concurred in.

On motion of Mr. Candler, the ayes and nays were ordered to be entered on the Journal.

Those who voted in the affirmative are, Messrs:

Adkins,	Corbitt,	Nisbet,
Anderson,	Fain,	Nunnally,
Bowers,	Griffin, 6th District,	Sherman,
Bradley,	Harris,	Smith, 7th District,
Brock,	Hicks,	Speer,
Bruton,	Hungerford,	Wallace,
Burns,	Jones,	Wellborn,
Campbell,	Merrill,	Winn,
Colman,	McCutchen,	Wooten.

Ayes, 27; nays, none.

On motion of Mr. Smith, of the 7th District, the Secretary was directed to transmit the action of the Senate forthwith to the House of Representatives.

The following bills were introduced and severally read the first time, to-wit:

By Mr. Campbell, a bill to be entitled an act to declare the Charter of the city of Darien in-operative and void.

By Mr. Colman, a bill to be entitled an act to authorize the Governor to appoint a Tax Receiver to fill a vacancy occasioned by the death of William R. Hopkins.

By Mr. Corbitt, a bill to be entitled an act to organize the District Court, to define its jurisdiction and for other purposes.

The following Message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives have refused to concur in the Senate's amendment to a resolution of the House, authorizing the State Treasurer to advance to members and officers per diem pay, not to exceed the amount allowed by the law of the session of 1866, from the 4th day of July, 1868, and I am directed to transmit the same forthwith to the Senate.

Mr. Higbee, Chairman of the Committee on Enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives and now ready for the signature of the President of the Senate, the following resolutions to-wit:

A resolution to authorize the Treasurer to make certain advances to the officers and members of this General Assembly.

Also, a resolution, authorizing the Superintendent of the Western and Atlantic Railroad to pay to Ransom Montgomery five hundred and sixty-two dollars and fifty cents, for services rendered said road, to further employ him on said road, and to provide a home for said Ransom Montgomery during his life.

On motion of Mr. Harris, the regular order of business was suspended to take up the message of the House of Representatives, making certain advances to officers and members.

On motion of Mr. Harris, the message was taken up and read.

On motion of Mr. Harris, the Senate receded from its amendment.

On motion, the Senate concurred in the resolution of the House.

The introduction of bills was resumed and the following introduced and read the first time, to-wit:

By Mr. Wooten, a bill to be entitled an act to authorize the holding of the Superior Courts at the ensuing fall terms and to provide juries therefor.

By Mr. Adkins, a bill to reduce the bonds of civil officers and for other purposes.

By Mr. Higbee, a bill for the removal of the county site of any county.

By Mr. Nunnally, a bill to be entitled an act to incorporate the Griffin Loan, Trust and Savings Institution.

Also, a bill to be entitled an act to incorporate the Central Georgia Mutual Life Insurance Company.

By Mr. Candler, a bill to be entitled an act to incorporate the Georgia Loan and Trust Company.

By Mr. Brock, a bill to be entitled an act to make bills of indictment amendable.

The hour of adjournment having arrived, the President announced the Senate adjourned until Monday morning, at 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Monday, August 3d, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Prettyman.

The Journal of Friday was read and approved.

On motion the Rules were suspended, and Mr. Higbee, offered the following resolution which was adopted, to-wit:

Resolved, That in accordance with requisitions of the Code, the officers of the Senate, their Assistants, and Engrossing and Enrolling Clerks, do now take an oath before the President of the Senate, to discharge their duties faithfully and to the best of their skill and knowledge.

In accordance with the above resolution, John C. Hendrix, Assistant Secretary of the Senate, J. G. W. Mills, Journalizing Clerk, J. J. Newton, Enrolling Clerk, J. M. Bishop, and L. C. Jones, Engrossing Clerks, came forward and were duly sworn.

On a call of the roll, the following bills were introduced and severally read the first time, to-wit:

By Mr. Campbell, a bill to secure intelligent jurors, and to provide for paying the same.

By Mr. Smith, of the 7th District, a bill to be entitled an act to loan the credit of this State to the South Georgia and Florida Railroad, and other purposes therein mentioned.

Also, a bill to consolidate the offices of Receiver of Tax Returns, and Tax Collector for Chatham county.

Also, a bill to be entitled an act to provide for the election of a Mayor and Board of Aldermen for the city of Savannah.

By Mr. Nesbitt, a bill to incorporate the Georgia Fire and Marine Insurance Company.

By Mr. Wooten, a bill to be entitled an act to require the Supreme Court Reporter to publish the decisions of said Court in pamphlet form and to provide for the distribution of the same, and for other purposes.

By Mr. Moore, a bill to be entitled an act declaring who are eligible to the District Judgeship.

By Mr. Adkins, a bill to punish the vendors of lottery tickets in this State.

By Mr. Speer, a bill to be entitled an act to prevent the sale or circulation in this State, of indecent, vulgar, or obscene newspapers or periodicals.

Also, a bill to repeal Section 897, of the Code.

Also, a bill to fix a day for the election of municipal officers in this State.

By Mr. Nunnally, a bill to be entitled an act for the relief of debtors, and to authorize the adjustment of debts upon principles of equity.

By Mr. Higbee, a bill to be entitled an act to prevent fraud, bribery and intimidation at elections.

By Mr. Winn, a bill to be entitled an act to repeal an act to prescribe the mode of electing the Mayor and members of Council of the city of Atlanta.

By Mr. Brock, a bill to be entitled an act to pay to each permanently wounded, indigent soldier, or his widow, or his orphans, a certain sum of money.

By Mr. Candler, a bill to be entitled an act to provide for setting apart a homestead of realty, etc.

By Mr. Wellborn, a bill to be entitled an act to legalize certain marriages, and relieve the parties thereto, from pains and penalties.

By Mr. Smith, of the 36th District, a bill to define persons subject to road duty in this State.

Mr. Harris, offered the following resolution, to-wit:

Resolved by the Senate and House of Representatives in General Assembly met, That the two Houses meet in the Hall of the House of Representatives on Tuesday next at 11 o'clock, A. M., and proceed to the election of Secretary of State, Comptroller General, Treasurer, and State Printer.

Mr. Holcombe, moved to amend by striking out "Tuesday" and inserting Thursday.

Mr. Burns, moved to lay the resolution and the substitute on the table, which was disagreed to.

The question recurring upon the amendment of Mr. Hol-

combe, to strike out Tuesday and insert Thursday in lieu thereof, was ordered and the amendment was agreed to.

On motion the Secretary was directed to transmit the action of the Senate forthwith to the House of Representatives.

Mr. Higbee, offered the following resolution which was adopted, to-wit :

Resolved, That in addition to the respective duties of the Standing Committees of this House, it shall be their duty to report the expediency of printing the bills that are referred for their consideration.

Mr. Higbee, offered the following resolution which was lost, to-wit :

Resolved, That the Secretary of the Senate be directed to present to the Governor for his approbation, all bills passed by both Houses, and which originated in the Senate, and cause the time of such presentation to the Governor, to be entered on the Journal of the Senate.

Mr. Bradley, offered the following resolution, to-wit :

Resolved, That the Committee on the Militia, of the Senate, unite with the Committee on the Militia, of the House of Representatives and frame a bill to organize all loyal able bodied male citizens between the ages of eighteen and forty-five years, without regard to color or race, or previous condition, as directed by the laws of the United States.

Mr. Winn, moved to lay the resolution on the table, which was agreed to.

Mr. Bradley, offered the following, to-wit :

Resolved, That the Judiciary Committee of the Senate and House of Representatives, in conference, frame and report a bill declaring what parts of Irwin's Revised Code, are incompatible with the second section, first article, and other parts of the Constitution of Georgia, the civil rights bill, and the 14th article of the amended Constitution of the United States.

Mr. Speer, moved to lay the resolution on the table which was agreed to.

The following message was received from the House of Representatives by Mr. Hardin, the Clerk thereof :

Mr. President : The House of Representatives have concurred in the following resolution of the Senate, to-wit :

A resolution to suspend levies and sales under executions in this State until the General Assembly now in session shall take final action upon the relief and homestead measures in the Constitution of said State

Mr. Winn, offered the following resolution which was adopted, to-wit :

Resolved, That fifty copies of the bill for setting apart homestead, be printed for the use of the Senate.

On motion, Senator Bruton, was granted leave of absence for a few days on urgent business.

On motion of Mr. Wooten, the rules were suspended to take up for a second reading a bill entitled an act to authorize the holding of the Superior Courts at the ensuing fall term, and to provide juries therefor. The same was read the second time and referred to the Committee of the Whole.

On motion of Mr. Hungerford, the rules were suspended to take up the following bills, which were read the second time and referred to the Committee on Internal Improvements, to-wit :

A bill entitled an act to extend the aid of the State to the completion of the Macon and Augusta Railroad Company, and for other purposes.

Also, a bill to be entitled an act to amend the Charter of the Macon and Augusta Railroad Company.

On motion of Mr. Higbee, the Senate adjourned until tomorrow morning at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

TUESDAY, August 4, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Spillman.

The roll was called, and the Journal of the previous day read and approved.

Mr. Higbee, from the Committee on Enrollment, made the following report:

Mr. President: In accordance with requisitions of the Code, the Committee on Enrollment have directed me to report that they have examined into the qualifications of the following named clerks appointed by the Secretary of the Senate, to-wit: J. G. W. Mills, journalizing clerk; L. C. Jones and James M. Bishop, engrossing clerks; and D. C. Gresham and J. J. Newton, enrolling clerks, and find them competent and qualified for the discharge of the duties required of them.

(Signed) E. I. HIGBEE,
Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have concurred in a joint resolution that both Houses meet in the hall of the House of Representatives, on Thursday next, at 11 o'clock A. M., and proceed to the election of Secretary of State, Comptroller General, Treasurer, and State Printer.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have adopted the following resolution, to-wit:

A resolution to appoint a special committee to consider the subject of relief, and that the Senate be requested to appoint a committee to confer with the committee from this House; and I am directed to transmit the same forthwith to the Senate.

The following committee was appointed by the Speaker of the House: Anderson, of Cobb, chairman; Tumlin, of Randolph; Hall, of Meriwether; Lew, of Newton; George, of Baker; Maul, of Muscogee; Hudson, of Harris; Lane, of Brooks; Walthall, of Polk; O'Neal, of Lowndes.

The following bills were taken up and severally read the second time, and referred to the Committee on the Judiciary, to-wit:

A bill entitled an act to incorporate the Etowah Canal and Water Works Company.

A bill to prohibit the sale of spirituous liquors on election days.

A bill to prevent and punish duelling.

A bill to make legal any rate of interest agreed upon.

A bill to extend the provisions of an act entitled an act to form two fire companies in the city of Macon, to be called the Protection Fire Company, No. 1, and Ocmulgee Fire Company, No. 2.

A bill to prohibit all persons from voting who have not paid their taxes.

A bill to authorize and require the Governor to declare all executive, judicial and ministerial offices in this State vacant, when the persons elected cannot qualify and take their commissions, on account of being disqualified under the 14th article of the Constitution of the United States.

A bill to amend an act entitled an act to fix the time of holding the Supreme Court, and to regulate proceedings therein.

A bill, to be entitled an act, to change the laws of this

State, wherever the word Milledgeville occurs as the capital, to insert the word Atlanta in lieu thereof.

A bill, to be entitled an act, to organize the District Court and define its jurisdiction, and for other purposes.

A bill to make bills of indictment amendable.

A bill to secure intelligent jurors, and to provide for paying the same.

A bill to require the Supreme Court Reporter to publish the decisions of said court in pamphlet form, and to provide for the distribution of the same.

A bill declaring who are eligible to the District Judgeship.

A bill to punish the venders of lottery tickets in this State.

A bill for the relief of debtors, and to authorize the adjustment of debts upon principles of equity.

A bill to provide for the setting apart a homestead of realty, etc.

The following bills were severally read the second time, and referred to the Committee of the Whole, to-wit:

A bill, to be entitled an act, to alter and amend section 649 of the Revised Code of Georgia, so far as the same relates to persons subject to work on public roads.

A bill as to insolvent costs.

A bill to encourage loyalty, good order and decency.

A bill to incorporate the Georgia Masonic Life Insurance Company; one hundred copies of which bill were ordered to be printed for the use of the Senate.

A bill to alter and amend the usury laws in this State.

A bill to amend the oath of grand jurors in this State.

A bill to authorize the Governor to appoint a tax receiver to fill the vacancy occasioned by the death of W. R. Hopkins.

A bill to authorize the holding of the Superior Courts at the ensuing Fall term, and to provide juries therefor.

A bill to incorporate the Central Georgia Mutual Life Insurance Company.

A bill to incorporate the Georgia Fire and Marine Insurance Company.

A bill to incorporate the Griffin Loan, Trust and Savings Institution.

A bill to legalize certain marriages, and relieve the parties thereto from pains and penalties.

A bill to provide for the election of a mayor and board of aldermen for the city of Savannah.

The following bills were taken up and severally read the

second time, and referred to the Committee on Agriculture and Manufactures, to-wit:

A bill entitled an act to incorporate the Cherokee Manufacturing Company, of Floyd county, Georgia.

A bill to protect planters from imposition in the State of Georgia from sale of fertilizers.

A bill to prevent stock from running at large.

The following bills were taken up and severally read the second time, and referred to the Committee on Internal Improvements, to-wit:

A bill, to be entitled an act, to exempt from taxation all foreign capital invested in the manufacture of cotton, wool or other fibrous material.

A bill to amend the charter of the Georgia Air Line Railroad.

The following bill was read the second time, and referred to the Committee on Banks, to-wit:

A bill to incorporate the Fort Valley Loan and Trust Company.

The following bill was read the second time, and referred to the Committee on Petitions, to-wit:

A bill to declare the charter of the city of Darien inoperative and void.

The following bill was read the second time, and, on motion, laid on the table, to-wit:

A bill to protect citizens in their privileges and immunities.

The following bill was read the second time, and, on motion of Mr. Brock, was withdrawn, to-wit:

A bill to prescribe the manner in which the homestead, allowed to each head of a family, is to be set apart.

Mr. Nunnally moved that the Senate do now take up and concur in the resolution of the House appointing a special committee to consider the subject of relief, and that a committee of seven be appointed to confer with the committee of the House; which was agreed to, and the Chair announced the following as said committee, to-wit: Messrs. Nunnally, Harris, Nesbitt, Smith, of the 36th District, Fain, Sherman and Jones.

On motion, the Secretary was directed to notify the House of the concurrence of the Senate in their resolution.

Mr. Smith, of the 7th District, offered the following resolution, which was adopted, to-wit:

Resolved, That a committee of three be appointed from the Senate, to join such committee as may be appointed by the House, to look into and investigate the condition of the stock

which the State holds in the Atlantic and Gulf Railroad, and report to the Senate and House; and that said committee have power to send for persons and papers.

In accordance with the above, the Chair appointed as said committee, Messrs. Smith, of the 7th District, Burns and Colman.

On motion of Mr. Smith, of the 7th District, the Secretary was directed to transmit the action of the Senate forthwith to the House of Representatives.

Mr. Nunnally offered the following resolution, which was adopted, to-wit:

Resolved, That no bills introduced into the Senate be printed until a State Printer has been elected.

Mr. Dickey offered the following resolution, which was adopted, to-wit:

Resolved, That the President of the Senate appoint, from the Committee on the Deaf and Dumb Asylum, a sub-committee of three to join a similar committee from the House of Representatives, to visit Cave Spring, the site of said asylum, and investigate the affairs and condition of the institution, to the end that they make an intelligible report thereon.

In accordance with the above resolution, the Chair appointed Messrs. Dickey, Higbee and McCutchen as said committee.

Mr. Hungerford offered the following resolution, which was adopted, to-wit:

Resolved, That the Building Committee be required to confer with the City Council of Atlanta, in regard to furnishing more ample room for legislative purposes.

Mr. Wooten offered the following resolution, which was adopted, to-wit:

Resolved, by the Senate and House of Representatives, That the Committee on Public Buildings be instructed to confer with the corporate authorities of the city of Atlanta, and request them to furnish and prepare an apartment suitable for the State library; and that the Librarian be directed, as soon as this is done, to bring forward the library, and occupy the apartment so provided.

On motion, the Secretary was directed to transmit the above resolution forthwith to the House of Representatives.

On motion of Mr. Hungerford, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Wednesday, August 5th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Prettyman.

The roll was called and the Journal of the previous day read and approved.

Mr. Higbee, moved to reconsider so much of the Journal of yesterday as relates to the reference to the Committee of the Whole, of the "bill entitled an act to provide for the election of a Mayor and Board of Aldermen for the city of Savannah."

The motion to reconsider was agreed to.

Mr. Higbee, moved to refer said bill to the Committee on the Judiciary, which was agreed to.

Mr. Higbee, from the Committee on Enrollment, made the following report, to-wit:

Mr. President: The Committee on Enrollment report as duly enrolled and ready for the signatures of the President and Secretary of the Senate, and Speaker and Clerk of the House of Representatives the following resolution, to-wit:

A joint resolution, that the two Houses meet in the Hall of the House of Representatives on Thursday next at 11 o'clock, A. M., and proceed to the election of Secretary of State, Comptroller General, Treasurer and State Printer.

E. I. HIGBEE,

Chairman.

On motion the rules were suspended, and the following bills were taken up and read the second time and referred to the Committee on the Judiciary, to-wit:

A bill to reduce the bonds of civil officers and for other purposes.

A bill to consolidate the offices of Receiver of Tax Returns, and Tax Collector for Chatham county.

A bill to prevent the sale or circulation in this State of indecent, vulgar, or obscene newspapers or periodicals.

A bill to prevent fraud, bribery and intimidation at elections.

A bill entitled an act to pay to each permanently wounded, indigent soldier, or his widow, or his orphans, a certain sum of money.

Mr. Higbee, moved to suspend the reading of bills to allow the Committee on Privileges and Elections, to make a report, which was agreed to.

Mr. Higbee, then moved to suspend the rules for the pur-

pose of having the report read, which motion did not prevail.

The reading of bills was resumed, and the following read the second time, and referred to the Committee of the Whole, to-wit :

A bill for the removal of the county site of any county.

A bill to incorporate the Georgia Loan and Trust Company.

A bill to repeal Section 897 of the Code.

A bill to fix a day for the election of municipal officers in this State.

A bill to be entitled an act to repeal an act to prescribe the mode of electing the Mayor and members of Council of the city of Atlanta.

A bill to define persons subject to road duty in this State.

The following bill was read the second time and referred to the Committee on Internal Improvement, to-wit :

A bill to be entitled an act to loan the credit of the State to the South Georgia and Florida Railroad Company, and for other purposes.

The following message was received from the House of Representatives by Mr. Hardin, their Clerk.

Mr. President : The House of Representatives have concurred in the following resolution of the Senate, to-wit :

“A joint resolution that a committee of three be appointed by the Senate with such committee as may be appointed by the House to look into and investigate the condition of the stock which the State holds in the Atlantic and Gulf Railroad” with an ‘amendment, in which they ask the concurrence of the Senate.

The House has appointed as a committee on the part of the House, Messrs. Lane, Rawls, Carson, Johnson, of Towns, and Price, all of which I am instructed to transmit forthwith to the Senate.

The Committee on Privileges and Elections, made the following report, to-wit :

Mr. President : Your committee have had referred to them several cases of contested elections, founded some, upon claims that the election was not held according to military orders, others upon statements that the Board of Registration had not done their duty, others upon allegations that illegal votes were cast, that fraud, bribery and intimidation were used, and others again, upon assertions that the returns of the election were not properly and fairly made out.

Besides these, there are several cases turning upon the eligibility of the sitting members, and involving the legality

of the orders of the General Commanding the District of which Georgia formed a part during the late suspension of civil law.

Your Committee have given to these cases much reflection, and on any attempt to investigate them, have found themselves involved in no ordinary difficulties.

The elections were held not under the laws of Georgia, but under acts of Congress and military orders. They were not even conducted according to the laws and usages and by the officers of this State, but under regulations prescribed and managers appointed by military authority. Nor has this Committee been able to obtain a complete copy of the orders and rules referred to.

We presume that on examination of the papers referred to the Committee, we might find that persons voted who were not authorized under the rules promulgated, so to do, and that others were not allowed to vote, who under these rules were entitled, and yet, the fact being that the military orders, as well as the act of Congress, made the registrars judges of who should register, and authorized them as such judges, to strike names from the lists, we do not see how it is in our power to reverse that judgment.

We have not and perhaps cannot obtain the same facts, and we know of no rule that will authorize us to reverse a solemn judgment of a tribunal authorized by law to make it.

The elections were held by the registers, and the returns made to the registration office under seal. No public notice was given as to who was elected in any case. If anything was known of the result, it was only from rumor, and no person defeated was in any manner notified that his opponent was elected. Soon after the election, a military order was published, appointing a commission to examine the returns, and hear evidence, but in a brief period it was announced, that cases of contested elections would not be considered, but left to be determined in the usual manner. And yet never until a few days before the meeting of the General Assembly, were there any means of certainly ascertaining who appeared by the returns to be elected.

The Convention adjourned March 11th, and by the Constitution it was provided that the General Assembly should meet in ninety days, and as is well known, it was the general expectation that the military authorities would convene the General Assembly long before the ninety days expired.

The laws of Georgia require, that any contestant, shall give the person appearing to be elected, notice, within thirty days after the election.

The uncertainty as to who was elected ; the fact that the returns and registry lists were not accessible, and the appointment of the military commission, made it impossible to comply with this law.

It is true that a subsequent order discharged or restricted the action of the commission and fixed a near point from which to count the thirty days, but it still remained uncertain, who the Military Commission or the General Commanding might declare elected, and no one could be held, even to the thirty days fixed by General Meade.

It is well known, that there are several cases, in which the contestants claim that they have abundant evidence of fraud and illegality, but they were deterred from taking evidence, from the uncertainty as to who was in fact elected by the face of the returns ; by the fact that the thirty days fixed by law had expired, and by the general expectation that the General Assembly would be convened at an early day.

By the laws of Georgia alone, none of the elections were legally held, and your Committee are constrained to think that a military tribunal is alone proper to decide upon military orders.

The present Legislature was elected under a state of things that has passed away. It was organized and placed in possession of the civil powers of the State at the opening of its sessions ; and your Committee are of the opinion that it will be the wisest and most dignified course to consider the orders of General Meade declaring who was elected, as final and conclusive, not only upon the eligibility of the members, but of all questions that may be made on the election.

Should the Senate in any case order a new election, it will be impossible to have it by the same electors or under the same laws.

A new Constitution, different management, different rules, and a new class of voters now exist. The registry system has passed away, and Georgia is again under her own laws and officers, and it will be manifestly impossible to conduct an election, on the principles, and by the voters, who were the legal and proper electors of this body.

In view of all the circumstances hereinbefore referred to, and of the immense difficulties of arriving at any satisfactory conclusion, your Committee, therefore, ask to be discharged from all the cases of contested seats, whether based upon the eligibility of the sitting member, or on any other charge and offer the following resolution :

Resolved, That the order of General Meade, known as General Order No. 90, in relation to the persons elect to the

Senate, be deemed and held as conclusive as to the rights of the persons named, to seats.

E. I. HIGBEE,
McW HUNGERFORD,
W BROCK,
W B. JONES,
GEO. WALLACE.

APPENDED BY MR. BROCK.

By one of your Committee. Mr. Brock is of the opinion, that the subject matter settled by the select committee, was the eligibility of the members under the 14th Article.

Secondly, is of the opinion that the military must entirely control this whole subject, and must be finally settled by the military, if not so settled by the military, your committee must then be governed entirely by the Code of Georgia. I can not see how it is, that the military and civil laws can be coupled together: one or the other must govern, singly and separately. I am of opinion, after serious meditation upon this whole vexed question, that the returns made by the managers of election, conducted by military law, is a finality. Though, I am left in much doubt. If the civil Code is to govern this matter, separately and alone, there being no election held under the Code—the law of Georgia, but purely held under and by order of the military law; therefore the military must control this whole matter. I cannot conclude that both the military and the civil law can be coupled together—one or the other must fall; and the whole matter being carried on by the military law, therefore, the matter is finally settled, by the military laws and orders issued by Major General Meade; and therefore the seated members are properly seated.

W BROCK.

Mr. Hicks, from the Committee on Elections, submitted the following report, to-wit:

Whereas, A majority of the Committee on Privileges and Elections ignore the prerogatives of the Senate, refuse to make the required investigations as to the eligibility of Senators whose seats are contested, contrary to the Constitution of the State of Georgia; therefore, to the end that justice may be impartially administered,

Resolved, That the Committee on Privileges and Elections, to whom have been referred memorials of J. W. Landrum and W. H. Mattox, claiming that they were respectively elected from the 32d and 31st Senatorial District, and are now entitled to the seats now held by Hon. J. C. Richardson and Hon. James H. McWhorter, be directed to enquire into

the facts charged in said memorials, and hear all legal evidence which may be presented, by said contestants and sitting members and report as early as practicable who are legally elected from said Districts.

H. HICKS.

Mr. Higbee, moved the adoption of the majority report.

Mr. Candler, moved that the report be made the special order for to-morrow, which was not agreed to.

Mr. Hinton, moved the adoption of the minority, in lieu of the majority report, pending the consideration of which the Senate adjourned until to-morrow morning at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

THURSDAY, August 6, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Smith, Honorable Senator from the 7th District.

The roll was called, and the Journal of the previous day read and approved.

The Senate resumed the unfinished business of yesterday, the same being the consideration of the minority report, as offered by Mr. Hicks, of the Committee on Privileges and Elections, as a substitute for the majority report as offered by Mr. Higbee—Mr. Hungerford having the floor.

After debate, Mr. Hungerford moved the previous question, which was sustained.

The main question was then ordered upon the motion of Mr. Hinton, to adopt the minority in lieu of the majority report.

On motion, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Anderson,	Hicks,	Moore,
Bruton,	Hinton,	Nesbitt,
Burns,	Holcombe,	Nunnally,
Candler,	Jordan,	Smith, 36th Dist.,
Collier,	McArthur,	Wellborn,
Fain,	McCutchen,	Winn.

Those voting in the negative, are Messrs :

Adkins,	Bradley,	Campbell,
Bowers,	Brock,	Colman,

Corbitt,	Jones,	Smith, 7th District,
Dickey,	Merrell,	Speer,
Griffin, 6th Dist.,	McWhorter,	Stringer,
Harris,	Richardson,	Wallace,
Higbee,	Sherman,	Welch.
Hungerford,		

Yeas, 18; nays, 22. So the minority report was not adopted.

The question recurring upon the motion of Mr. Higbee, to adopt the majority report, was next put.

On motion, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adkins,	Griffin, 6th Dist.,	Richardson,
Bowers,	Harris,	Sherman,
Bradley,	Higbee,	Smith, 7th Dist.,
Brock,	Hungerford,	Speer,
Campbell,	Jones,	Stringer,
Colman,	Merrill,	Wallace,
Corbitt,	McWhorter,	Welch.
Dickey,		

Those voting in the negative, are Messrs:

Anderson,	Graham,	McCutchen,
Bruton,	Hicks,	Moore,
Burns,	Hinton,	Nesbitt,
Candler,	Holcombe,	Nunnally,
Collier,	Jordan,	Wellborn,
Fain,	McArthur,	Winn.

Yeas, 22; nays, 18. So the majority report was adopted.

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit:

Mr. President: The Governor has approved and signed a resolution to suspend levies and sales under executions in this State until the General Assembly, now in session, shall take final action upon the relief and homestead measures in the Constitution of said State.

On motion, the Senators from the 16th, 23d and 41st Districts were granted a leave of absence for a few days.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have adopted the following resolution, to-wit:

A resolution to appoint a committee to investigate and ex-

amine the books and papers of the Western and Atlantic Railroad.

On motion, the Senate took a recess of five minutes.

On re-assembling, the following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate, that they are now ready to receive the Senate in their hall, to go into the election of Secretary of State, State Treasurer, Comptroller General and State Printer.

On motion of Mr. Higbee, the Senate repaired to the hall of the House of Representatives, and after being seated, the General Assembly proceeded to elect a Secretary of State for the term as prescribed by the Constitution.

On taking the vote *viva voce*, the Hon. D. G. Cotting, of the county of Wilkes, having received a majority of all the votes given, was declared duly elected.

They then proceeded to the election of a Comptroller General for the term as prescribed by the Constitution.

On taking the vote *viva voce*, the Hon. Madison Bell, of the county of Banks, having received a majority of all the votes given, was declared duly elected.

They then proceeded to the election of a State Treasurer for the term as prescribed by the Constitution; and on taking the vote *viva voce*, the Hon. N. L. Angier, of the county of Fulton, having received a majority of all the votes given, was declared duly elected.

They then proceeded to the election of a State Printer for the term as prescribed by the Constitution.

On taking the vote *viva voce*, Samuel Bard, Esq., of the county of Fulton, having received a majority of all the votes given, was declared duly elected.

On motion of Mr. Holcombe, the Senate returned to the Senate Chamber.

The President called the Senate to order.

On motion of Mr. Merrill, the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

FRIDAY, August 7, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Prettyman.

The roll was called, and the Journal of the previous day was read and approved.

Mr. Candler moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the minority and majority reports of the Committee on Privileges and Elections.

After debate, Mr. Higbee moved the previous question, which was sustained,

The main question was then ordered upon the motion of Mr. Candler to reconsider.

The yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Bruton,	Hinton,	Nesbitt,
Burns,	Holcombe,	Nunnally,
Candler,	Jordan,	Wellborn,
Collier,	McArthur,	Winn,
Fain,	McCutchen,	Wooten.
Graham,	Moore,	

Those voting in the negative, are Messrs:

Adkins,	Griffin, 6th Dist.	Sherman,
Bowers,	Harris,	Smith, 7th Dist.,
Bradley,	Higbee,	Speer,
Campbell,	Jones,	Stringer,
Colman,	Merrill,	Wallace,
Corbitt,	McWhorter,	Welch.
Dickey,	Richardson,	

Yeas, 17; nays, 20. So the motion to reconsider was not agreed to.

While the vote was being taken, Mr. Candler raised the point of order that Senators who are to be affected by the result should not be allowed to vote.

The Chair decided the point not well taken.

Mr. Candler appealed from the decision of the Chair, and the Chair was sustained.

The following message was received from his Excellency the Governor, through his Secretary, Mr. deGraffenried, to-wit:

Mr. President: I am directed by the Governor to deliver to the Senate a communication in writing, with an accompanying document.

EXECUTIVE DEPARTMENT,

ATLANTA, GA., August 7, 1868.

To the Senate: The resolution of the Senate, calling for "all the papers and evidence * * * * pertaining to the contested seats of Senators," adopted July 25, 1868, did not reach this office until the evening of the 3d instant. After a careful examination of the documents on file in this office, I find that all the papers then in my possession on this subject were forwarded to the Senate on the 17th ultimo.

I herewith transmit the only paper referring to Senators that has since been received, being a protest from a citizen of Cass county, in the 42d Senatorial District, against the right of Mr. John T. Burns to act as Senator, on the ground that he has in his possession property belonging to the State unaccounted for.

RUFUS B. BULLOCK,

Governor.

On motion, leave of absence was granted Senators Holcombe and McWhorter, for a few days.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have adopted the following resolution, to-wit:

Resolved, That his Excellency the Governor be requested to order special elections for the counties of Telfair and Irwin.

Also, a resolution that a special committee of one from each Judicial Circuit be appointed to inquire into the propriety of increasing the Judicial Circuits.

They have also passed the following bill, to-wit:

A bill to carry into effect section 8, article 2, of the Constitution of Georgia, relating to the sale of spirituous liquor on the days of election. All of which I am directed to transmit forthwith to the Senate.

The hour of 1 o'clock having arrived, on motion of Mr. Speer, the hour of adjournment was extended.

Mr. Merrill, from the Committee on the Judiciary, made the following report:

Mr. President: The Judiciary Committee, to whom was referred a bill to prevent the sale or circulation in this State of indecent, vulgar or obscene newspapers or periodicals, have

had the same under consideration, and recommend that it do not pass.

Also, a bill to prevent fraud, bribery and intimidation at elections, which they recommend do not pass.

Also, a bill, to be entitled an act, to repeal an act assented to December 16, 1857, entitled an act to repeal the 2d section of an act to amend an act entitled an act to give all persons employed on steamboats and other water-craft on the Chattahoochee, Altamaha and Ocmulgee rivers, a lien on said steamboats or water-craft for his, her or their wages, and for wood and provisions furnished, and to point out and facilitate the mode of collection of the same, assented to December 11, 1841, so as to include the Savannah river within the provisions of the same, and for other purposes, assented to December 27, 1842; which they recommend do pass.

Also, a bill, to be entitled an act, to require the Supreme Court Reporter to publish the decisions of said court in pamphlet form, and to provide for the distribution of the same, and for other purposes; which they propose to amend by filling the blank in the 6th section with the word "five," and with this amendment they recommend the same do pass.

W W MERRILL, *Chairman*.

Mr. Nunnally, as chairman of the special committee in the case of the Senator from the 1st District, made the following report, to-wit:

The committee appointed by the Senate, to whom was referred the resolution of the 8th of July, inquiring into the allegations against the eligibility of A. A. Bradley, Senator elect from the 1st District, beg leave to submit the following report:

The evidence before the committee having been reduced to writing, which is herewith submitted to be read to the Senate, the committee believe it only necessary to refer to the leading points upon which their recommendations are founded.

The exemplification of the records of the City Court of Brooklyn, show that in the month of June, 1851, one Aaron Bradley was tried by a jury, charged with the crime of seduction, and found guilty, and was, on the 21st day of June, 1851, sentenced to imprisonment in the State Prison, Mount Pleasant, in the State of New York, for a term of two years.

Josiah P. Brooke, who had been by the committee ordered before them, presented himself, and, being sworn, testified that he was now a resident of the county of Chatham; formerly resided in Williamsburg, county of Kings, State of New York; knew Bradley there in 1851; saw Bradley in the pris-

oners' box in the City Court of Brooklyn; heard that he was being tried for seduction; the jury brought in a verdict of guilty; and that Bradley was sentenced to the State Prison for two years. He never saw Bradley in Brooklyn after that, nor elsewhere until he saw him in Savannah, in the summer of 1867; recognized him as being the same man who was tried and convicted of seduction, in the city of Brooklyn. A. A. Bradley, Senator elect from the 1st District, is the same man he saw convicted of seduction.

The testimony being uncontradicted, the committee are of the opinion that A. A. Bradley, Senator elect from the 1st District, is identified as being the same Aaron Bradley convicted of seduction in the State of New York, in the year 1851, who was sentenced to the State Prison for two years, and that he is ineligible to a seat as a member of the Senate of this State, under the 6th section of the 2d article of the Constitution, which declares what persons shall not be eligible to office, to-wit: that "no person who has been convicted of treason, embezzlement of public funds, malfeasance in office, crime punishable by law with imprisonment in the penitentiary," etc., shall be eligible.

The said A. A. Bradley, Senator elect from the 1st District, having been convicted of a crime punishable by law with imprisonment in the penitentiary, your committee therefore recommend the adoption of the following resolution:

Resolved by the Senate, That A. A. Bradley was at the time of his election, and still is, ineligible to a seat as a member of this Senate, under the Constitution of this State.

A. D. NUNNALLY,
Chairman of Committee.

Mr. Higbee, from the special committee on the case of the Senator from the 1st District, moved to lay the majority report of said committee on the table for the present, and that he be allowed until to-morrow morning to present a minority report, which was agreed to.

On motion of Mr. Holcombe, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Saturday, August 8th, 1868.

The Senate met pursuant to adjournment, (Mr. Wooten in the Chair,) and was opened with prayer by the Rev. Mr. Prettyman.

The roll was called, and the Journal of the previous day read, and approved.

On motion, the rules were suspended, and Mr. Higbee, from the special committee on the case of the Senator from the first District, submitted the following as a minority report, to-wit:

Mr. President: Your committee after giving notice to both the contestant, and the sitting member, proceeded to hear the evidence in relation to the facts charged, and they herewith submit a copy of the documentary, and a summary of the parole evidence submitted to them, and the same is here-to appended, marked A.

The paper purported to be a record of conviction for seduction, of Aaron Bradley by the City Court of Brooklyn, in the State of New York, and was objected to by the sitting member, as incomplete, and for that reason incompetent.

It was said, that a complete record must include a copy of the indictment or charge, and that the paper produced failed to have that copy; it was said, if the record was incomplete in this, it might also be otherwise incomplete, that there might have been an arrest of the judgment, a new trial, and that unless the record purported to be and was, a complete record of the whole case, we could not know, but that there never was any final conviction.

It was said, that the record only showed a conviction for seduction; of whom, or of what, and when, did not appear. It was said, that by the laws of New York, seduction to be a crime at all, must be under promise of marriage, and that it did not appear from this record, that this was the case.

Your committee are aware that there is some force in these objections, but they did not reject the record, preferring to receive it, and report it to the Senate for their consideration.

Your committee would also remark in reference to the evidence of the identity of the sitting member, with the Aaron Bradley mentioned in the record, that it is very incomplete.

New York and Brooklyn are large places, and doubtless there are many persons of the same name.

The witness does not profess to have been present at the trial. It is true he once saw Bradley a prisoner, but there was no trial progressing, and he only knows of the crime and the trial of Bradley by hearsay.

Your committee have given the law pertaining to this case some attention, and they report, that there are two clauses or sections of the Constitution, which are deemed to bear upon this case.

Article 2d. Section 3rd. is in these words "No person convicted of felony or larceny before any Court of this State, or of, or in the United States, shall be eligible to any office or appointment of honor or trust within this State, unless he shall have been pardoned."

It is clear, that under this section the conviction must be for felony by the laws of the State in which the conviction is had.

No court of New York could convict, or sentence, and impose penalties, except for a crime against the laws of that State.

Your committee find that seduction is not a felony by the laws of that State.

The Act creating the offence has been produced to us, and is as follows :

"Any man, who shall, under promise of marriage, seduce and have illicit connexion with any unmarried female of previous chaste character, shall be guilty of a misdemeanor, and upon conviction, shall be punished by imprisonment in a State prison not exceeding five years. [See New York Statute passed in 1848.]

It will be observed that this act denominates the offence a "misdemeanor," a word, the very definition of which is, "a crime, not a felony,"

It is true, that in New York, as in Georgia, it is provided by the Code, that when the word Felony is used in the Code, it shall be understood to mean a crime punishable by imprisonment in the States prison, but the Legislature of New York may, as the Legislature of Georgia might, enact, that a crime was a misdemeanor, and punish it by confinement in a States prison, nevertheless.

The Supreme Court of New York in the case of Klock vs. the People, Section 2, Parker's Report, p. 686 say : (in reference to this clause of their Code.) The meaning of this clause of the Statutes is to declare all crimes, (not expressly denominated misdemeanors by the Statutes creating them,) which are punishable by imprisonment in the States prison, to be felonies.

The act defining and punishing seduction, as will be seen, expressly denominates the offence a misdemeanor. It is consequently not a felony. Conviction therefore under it, is not conviction for felony.

This offence was not a felony by the laws of Georgia at the time of this conviction.

The first act of this State making seduction a crime was not passed until afterwards.

We conclude therefore, that the conviction referred to, was not only not a felony by the laws of New York, but it was at that time no crime of any kind punishable by the laws of Georgia.

We are not sure that, even if this offence were felony by the laws of New York, conviction for it, at the time of this conviction, would render the person convicted, ineligible under our laws.

The Code of this State expressly declares, that to render one ineligible, the crime for which he was convicted, must be a felony, not only by the laws of the State in which the conviction is had, but it must be such a crime as is recognized as felony by our laws.

It is true the language of our new Constitution is not so precise, but it may fairly be presumed that the framers of the Constitution so meant.

To impose upon any one a penalty by virtue of the judgment of a foreign court, is going very far, but to provide that this shall be so even though the laws of Georgia do not recognize the crime at all, would be, it seems to us, preposterous.

Upon the whole therefore, it is plain to us, that the conviction of A. Bradley of the crime of seduction in 1851, is not such a conviction as is contemplated in Article 2nd, Section 3rd of the Constitution of this State.

It has however, been suggested, that Section 6th, of the same Article of the Constitution, is applicable to this case. That Section provides, that no one shall be permitted to register, vote, or hold office, who shall have been convicted of treason, embezzlement of public funds, malfeasance in office, crime punishable by law with imprisonment in the Penitentiary, or bribery.

It may be remarked in the first place in reference to this clause or section, that it limits by express words the convictions it refers to, to the future, "any person who shall have been convicted, etc." It not only does not undertake to add a new penalty for a crime already expiated, but it expressly provides that it has reference only to the future.

But this Section, in the opinion of your committee, was intended to refer only to convictions by Courts of this State. There is nothing in the language of the Section extending it to convictions by Courts of other States and Counties, and it is inconceivable, that the Convention should have intended to make the right to vote and to hold office in this State dependant on the judgment of any Court in any place in the wide world.

It will be observed that unless this section is understood to confine the convictions to the Courts of Georgia, there is nothing in the language to confine it to the Courts of the United States, or to one of the States.

If this be true; if a conviction before any Court of the wide world is to disqualify from voting and render ineligible to office the person convicted, we will have the strange anomaly of having the right of suffrage in Georgia, dependent on the laws and Courts of any despotism in Europe or Asia.

The Irishman convicted of Fenianism; the Frenchman of disloyalty; the German of insulting his Duke; can never acquire in this State the right to vote, or be eligible to office. No matter how tyrannous the law, no matter how summary the trial, if only the penalty is imprisonment in a penitentiary, no matter where in all this wide world, the Court may sit, the victim can never acquire in this State the right to vote or to hold office. Such a construction of the Constitution is manifestly absurd. This clause then, is certainly confined to convictions by a Court of this State, and this State alone.

There is another view of this subject, that must strike every one as of great importance. The conviction established by the record that has been produced, was in 1851. At that time, this particular offence was no crime at all by the laws of this State. The person convicted would in Georgia be subject to no penalty at all. Is it within the sphere of the Convention under the Constitution of the United States now nearly twenty years after the thing was done, to add a new penalty? Is not such an addition clearly an *ex post facto* law? If it is, it is the duty of the Senate so to construe both of these sections of the Constitution, as not to make them violate the Constitution of the United States.

This is purely a question of law.

The character of the sitting member has nothing to do with it. The precedent now set, will be a rule for future action, and the decision ought to be on such principles as can be sustained, without any reference at all, to the men about whom this particular issue is made.

Is the Senate ready to declare ineligible to office, and to deny the right to vote in this State, to any man, who may, at any time in his previous history, in perhaps some despotic Court, in some anti-republican country, have been subjected to imprisonment in a penitentiary ?

Such a rule would exclude John Mitchell, Francis Meagher, and many others of the noblest spirits of modern times.

Your committee cannot consent to any such construction of our law.

We are therefore of opinion, that the sitting member is not ineligible, and we recommend the following resolution :

Resolved, That under the Constitution and laws of this State, the Senator from the First District, is not ineligible by reason of the charge that he has been convicted of seduction by the City Court of Brooklyn, in the State of New York, in 1851.

E. I. HIGBEE,
T. G. CAMPBELL,

Mr. Adkins, moved that fifty copies of the majority and minority reports be printed for the use of the Senate, and that the further consideration of both reports be postponed until Wednesday, next.

Mr. Smith, of the 7th District, moved as a substitute, to postpone further consideration until Tuesday morning, at half past ten o'clock.

Mr. McArthur, moved the previous question, which was sustained.

The main question was then ordered to be put on the substitute of Mr. Smith, to postpone consideration until Tuesday, which was not agreed to.

After debate, Mr. Candler, moved the adoption of the majority report.

Mr. Higbee, moved the adoption of the minority, in lieu of the majority report. After debate, Mr. Smith, of the 7th District, moved that the Senator from the First District, be permitted to make a defense, and retire from the Senate Chamber until the Senate shall have acted on his case, which was agreed to.

After debate, the following message was received from the House of Representatives, through Mr. Hardin, their clerk.

Mr. President: The House of Representatives have adopted the following resolution to-wit:

A resolution requiring the Secretary of State, Comptroller General, and Treasurer to keep their offices in the building occupied by the General Assembly, and setting apart the

rooms therefor, and I am directed to transmit the same forthwith to the Senate.

Also, a resolution authorizing the State House officers to proceed to Milledgeville, and have brought to Atlanta all furniture appertaining to their offices.

The hour of adjournment having arrived, Mr. Higbee, (by permission of the Senator from the First District, who had the floor,) moved to suspend the rules, and take up the following resolutions of the House of Representatives to-wit :

A resolution of the House of Representatives authorizing the State House officers to proceed to Milledgeville, and have brought to Atlanta, all furniture appertaining to their offices.

Also, a resolution requiring the Secretary of State, Comptroller General, and Treasurer to keep their offices in the building, occupied by the General Assembly, etc. which motion was agreed to.

On motion of Mr. Holcombe, the Senate concurred in the above resolutions of the House of Representatives.

The following message was received from the House of Representatives, through Mr. Hardin, their clerk.

Mr. President : The House of Representatives have passed the following bill of the Senate.

A bill to be entitled an act to fix and establish the salaries of the Judges of the Supreme and Superior Courts, Solicitors General, Secretary of State, Treasurer and Comptroller General.

On motion of Mr. Holcombe, the hour of adjournment was extended.

Mr. Higbee, raised the point of order, that the motion as made by him, to suspend the rules, contemplated only the concurring in certain resolutions of the House.

The President *pro tem pore* overruled the point of order, and an appeal being taken from his decision by Mr. Higbee, the President *pro tem pore*, was sustained.

After debate, Mr. Campbell, raised the point of order, that a quorum of members were not present, and moved that in order to ascertain the fact, the roll be called.

The President *pro tempore* ruled that the motion to call the roll while the member was addressing the Senate in defense, was out of order.

Mr. Campbell, appealed from the decision of the Chair.

On the question being submitted to the Senate, the decision of the Chair was sustained.

Mr. Adkins, moved to adjourn until Monday morning,

at ten o'clock. Whereupon, the yeas and nays were required to be recorded and are:

Those voting in the affirmative, are Messrs:

Adkins,	Colman,	Sherman.
Bowers,	Griffin, 6th Dist.,	Stringer,
Bradley,	Higbee,	Wallace,
Brock,	Jones,	Welch.
Campbell,		

Those voting in the negative, are Messrs:

Bruton,	Holcombe,	Nesbitt,
Burns,	Jones,	Nunnally
Candler,	Jordan,	Richardson,
Collier,	McArthur,	Smith, 36th Dist.,
Fain,	McCutchen,	Wellborn,
Graham,	Moore,	Winn,

Yeas 13; nays 17. So the motion to adjourn was not agreed to.

Mr. Bradley continued. After debate,

Mr. Winn, raised the point of order that there was no quorum present, and that such being the fact, the Senate could not legitimately proceed with the transaction of business.

After reflection, the Chair reversed his decision on the same subject, and ordered the Secretary, to call the roll, when it was ascertained that a quorum were not present, only eighteen Senators answering to the call.

Mr. Holcombe, moved that the Senate do now adjourn with the understanding, that the Senator from the First District, have half an hour on Monday morning to conclude his defense, which was agreed to, and the Chair announced the Senate adjourned until Monday morning, at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Monday, August 10th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Nott.

The Journal of Saturday was read and approved.

The Senate resumed the consideration of the unfinished business of Saturday, the same being the motion of Mr. Higbee, to adopt the minority, in lieu of the majority report,

of the Special Committee on the case of the Senator from the First District.

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit:

Mr. President: I am directed by his Excellency the Governor, to transmit to the Senate a communication in writing:

EXECUTIVE DEPARTMENT,
Atlanta, Ga., August 10th, 1868.

To the Senate:

Hon. A. Alpeoria Bradley, having notified me in accordance with 128th Section of the Code, that he has resigned his seat as a Senator from the 1st Senatorial District, writs of election have been issued for an election of a Senator to fill the vacancy in the Senate caused by said resignation.

RUFUS B. BULLOCK,
Governor.

Mr. Nunnally, moved to lay the message on the table.

The Chair stated that the message would take that course, (there being no objection.)

After debate, the Chair decided that as the Senator from the 1st District had resigned his seat, no further action of the Senate was necessary on his case.

Mr. Nunnally, appealed from the decision of the Chair, and proposed to show that the Senator from the 1st District was not eligible under the Constitution.

Mr. Higbee, raised the point of order, that as the Senate had determined that the order of General Meade, known as General Order Number Ninety, in relation to persons elect to the Senate had been deemed conclusive as to the right of persons named to hold their seats, and the member from the 1st District having resigned his seat, a right to which was thus determined by the Senate, and the Governor having accepted said resignation, and in compliance with the law ordered a new election in the 1st District, it is now out of order to consider any further, the eligibility of A. A. Bradley.

The Chair decided the point well taken.

Mr. Nunnally, continued to address the Senate under his appeal from the decision of the Chair.

Mr. Higbee, raised the point of order that the discussion of the question of the eligibility of the Senator from the 1st District was not proper inasmuch as the first point of order barred all discussion of that question, and could not be

entered upon, unless the first point of order should be decided by the Senate as not well taken.

The Chair put the point of order to the Senate, which was not sustained.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have adopted the following resolution, to-wit:

Resolved, That his Excellency the Governor, be authorized to furnish all civil officers of this State with a copy of Irwin's Revised Code, and to pay for the same out of any money in the Treasury not otherwise appropriated.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives have passed the following bills, to-wit.

A bill to be entitled an act to authorize Thomas K. McDonald, the present Clerk elect of the Superior Court of Whitfield county, to practice law in counties other than Whitfield.

Also, a bill to be entitled an act to exempt maimed men of this State from poll tax.

Also, a bill to be entitled an act to grant certain rights and privileges to the "Metropolitan Steam Fire Engine Company" in the city of Savannah.

Also, a bill to be entitled an act to relieve Wm. S. Moughon, of the county of Bibb, from double taxation on his Dougherty county plantation for the year 1867.

They have also adopted the following resolution:

Resolved, That in view of the necessity which exists of having the Common Laws of the State more extensively circulated, one copy of the laws known as Irwin's Revised Code, be furnished to every judicial officer in this State, the same to be furnished at the expense of the State of Georgia.

A message was received from his Excellency the Governor, by Mr. Davis, his Secretary.

The hour of adjournment having arrived, the President announced the Senate adjourned until to-morrow morning at ten o'clock, Mr. Campbell, having the floor.

SENATE CHAMBER,

ATLANTA, GEORGIA,

TUESDAY, August 11, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by Rev. Mr. Prettyman.

The roll was called, and the Journal of the previous day read and approved.

The Senate resumed the unfinished business of yesterday, the same being the appeal, as taken by Mr. Nunnally, from the decision of the Chair, in the case of the Senator from the 1st District; Mr. Campbell having the floor.

After debate, Mr. Higbee, from the Committee on Enrollment, made the following report, to-wit:

Mr. President: The Committee on Enrollment report as duly enrolled, and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following act, to-wit:

An act to fix the salaries of the Judges of the Supreme and Superior Courts, and Solicitors General.

E. I. HIGBEE, *Chairman.*

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have passed the following bills, to-wit:

A bill to consolidate the offices of Receiver of Tax Returns and Tax Collector, for the county of Charlton.

Also, a bill, to be entitled an act, to change the time of holding the Superior Courts for the counties of Catoosa and Cherokee.

Also, a bill, to be entitled an act, to incorporate Cedar Town.

Also, a bill to incorporate the Georgia Air Line Railroad.

On motion, the rules were suspended, and Mr. Nunnally offered the following resolution, which was adopted, to-wit:

Resolved, by the Senate, That the Secretary be and he is hereby instructed to turn over to the chairman of the Committee on relief, all bills either in his hands or in the hands of the Judiciary Committee, on the subject of relief.

The regular order of business being resumed, Mr. Harris moved to extend the hour of adjournment to 2 o'clock, P. M.

Mr. Speer moved as a substitute, that the Senate extend the hour to half-past 12 o'clock, A. M., to-morrow; which did not prevail.

The motion of Mr. Harris was then agreed to.

After debate, Mr. Burns moved the previous question, which was sustained.

The main question was then ordered upon the decision of the Chair; whereupon, the yeas and nays were required to be recorded.

Those who voted in the affirmative, are Messrs :

Adkins,	Griffin, 6th Dist.,	Sherman,
Bowers,	Harris,	Smith, 36th Dist.,
Brock,	Higbee,	Speer,
Campbell,	Jones,	Stringer,
Colman,	Merrill,	Wallace,
Corbitt,	McWhorter,	Welch.
Dickey,	Richardson,	

Those voting in the negative, are Messrs :

Bruton,	Hinton,	Nesbitt,
Burns,	Holcombe,	Nunnally,
Candler,	Jordan,	Smith, 7th Dist.,
Collier,	McArthur,	Wellborn,
Fain,	McCutchen,	Winn.
Graham,	Moore,	Wooten.
Griffin, 21st Dist.,		

Yeas, 20; nays, 19. So the decision of the Chair was sustained.

On motion of Mr. Stringer, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

WEDNESDAY, August 12, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Prettyman.

The roll was called, and the Journal of the previous day read and approved.

During the reading of the Journal, Mr. Higbee gave notice that he would move to reconsider so much of the action of the Senate of yesterday as relates to the appeal of Mr. Nunnally from the decision of the Chair.

In conformity with his previous notice, Mr. Higbee moved to reconsider so much of the Journal of yesterday as relates

to the action of the Senate on the appeal from the decision of the Chair, in the case of the Senator from the 1st District.

Mr. Campbell moved to lay the motion to reconsider on the table. Whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative are Messrs:

Adkins,	Griffin, 6th Dist.,	Richardson,
Bowers,	Harris,	Sherman,
Campbell,	Higbee,	Speer,
Colman,	Jones,	Stringer,
Corbitt,	Merrill,	Wallace,
Dickey,	McWhorter,	Welch.

Those voting in the negative, are Messrs :

Anderson,	Griffin, 21st District,	Nisbet,
Bruton,	Hinton,	Nunnally,
Burns,	Holcombe,	Smith, 7th Dist.,
Candler,	Jordan,	Smith, 36th Dist.,
Collier,	McArthur,	Wellborn,
Fain,	McCutchen,	Winn,
Graham,	Moore,	Wooten.

Yeas, 18; nays, 21. So the motion to lay on the table did not prevail.

The question then recurred upon the reconsideration of the previous question. Whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Anderson,	Griffin, 21st Dist.,	Nesbitt,
Bruton,	Hinton,	Nunnally,
Burns,	Holcombe,	Smith, 7th Dist.
Candler,	Jordan,	Smith, 36th Dist.,
Collier,	McArthur,	Wellborn,
Fain,	McCutchen,	Winn,
Graham,	Moore,	Wooten.

Those voting in the negative, are Messrs:

Adkins,	Griffin, 6th District,	Richardson,
Bowers,	Harris,	Sherman,
Campbell,	Higbee,	Speer,
Colman,	Jones,	Stringer,
Corbitt,	Merrell,	Wallace,
Dickey,	McWhorter,	Welch.

Yeas, 21; nays, 18. So the previous question was reconsidered.

The question then recurred upon the reconsideration of the main question. Whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Anderson,	Griffin, 21st Dist.,	Nesbitt,
Bruton,	Hinton,	Nunnally,
Burns,	Holcombe,	Smith, 7th Dist.,
Candler,	Jordan,	Wellborn,
Collier,	McArthur,	Winn,
Fain,	McCutchen,	Wooten.
Graham,	Moore,	

Those voting in the negative, are Messrs :

Adkins,	Griffin, 6th Dist.,	Richardson,
Bowers,	Harris,	Sherman,
Campbell,	Higbee,	Speer,
Colman,	Jones,	Stringer,
Corbitt,	Merrill,	Wallace,
Dickey,	McWhorter,	Welch.

Yeas, 20; nays, 18. So the main question was reconsidered.

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit :

Mr. President: I am directed by his Excellency the Governor to deliver to the Senate a sealed communication, which he respectfully asks may be opened and considered in executive session.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have passed the following bill, to-wit :

A bill, to be entitled an act, to incorporate the Brunswick Street Railroad Company.

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit :

Mr. President: His Excellency the Governor has signed the following act:

An act to fix the salaries of the Judges of the Supreme and Superior Courts, and Solicitors General.

Mr. Higbee moved that the Senate do now go into executive session, which was agreed to.

The Senate then went into executive session, and after remaining some time therein, the doors were thrown open and the Senate resumed the regular order, which was the recon-

sideration of the question as to the appeal taken from the decision of the Chair, in the case of the Senator from the 1st District.

After debate, on motion of Mr. Merrell, the time of adjournment was extended to two o'clock P. M., for the purpose of going into executive session.

The Senate then went into executive session, and after remaining some time therein, the doors were thrown open, and it transpired that the following nominations of his Excellency the Governor had been confirmed, to-wit:

Honorable Joseph E. Brown, of the county of Fulton, to be Chief Justice and Judge of the Supreme Court, for the term of twelve years from the 21st day of July, 1868.

Honorable Josiah R. Parrott, of the county of Bartow, to be Judge of the Superior Court of the Cherokee Circuit, for the term of eight years from the 21st day of July, 1868.

Charles E. Broyles, Esq., of the county of Whitfield, to be Solicitor for the Superior Courts of the Cherokee Circuit, for the term of eight years from the 21st day of July, 1868.

On motion, the rules were suspended, and Mr. McArthur offered the following resolution, which was adopted and ordered to be forthwith transmitted to the House of Representatives, to-wit:

Whereas, In consequence of a failure on the part of the registrars for the 15th Senatorial District, to hold elections in accordance with the election order of General Meade, in the counties of Telfair and Irwin; and whereas, his Excellency the Governor has been petitioned to order elections in said counties, but has declined to do so in consequence of a doubt in his mind as to the authority vested in him by the Code of Georgia to order elections in such cases; therefore, be it

Resolved, by the Senate and House of Representatives of the State of Georgia, That his Excellency the Governor be authorized, and it is hereby made his duty, as in other cases of vacancy, to issue writs of election forthwith for an election to be held in said counties for members of the House of Representatives and county officers.

Resolved, 2d, That this resolution be transmitted forthwith to the House of Representatives, with the request that it be taken up immediately and concurred in by that body.

Senators Bowers and Fain were granted leave of absence for a few days.

On motion, the Senate adjourned until to-morrow morning at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Thursday, August 13th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Prettyman.

The roll was called and the Journal of the previous day read and approved.

The Senate resumed the unfinished business of yesterday which was, whether the decision of the Chair in the case of the Senator from the 1st District shall stand as the decision of the Senate, the same having been previously sustained.

After debate, the question whether the decision of the Chair shall be reconsidered, was put, and the decision of the Chair was reconsidered.

On motion the majority and minority reports of the committee on the case of the Senator from the 1st District were taken up and read.

Mr. Candler, called for the previous question, which was sustained.

The main question was then ordered on the adoption of the minority in lieu of the majority report, with the resolution accompanying the minority report, declaring the Senator from the 1st District eligible to a seat, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adkins,	Higbee,	Wallace,
Campbell,	Sherman,	

Those voting in the negative, are Messrs :

Anderson,	Griffin, 21st Dist.	Nesbitt,
Brock,	Harris,	Nunnally,
Bruton,	Hinton,	Richardson,
Burns,	Holcombe,	Smith, 7th District,
Candler,	Jordan,	Smith, 36th District,
Collier,	Merrell,	Speer,
Corbitt,	McArthur,	Stringer,
Dickey,	McCutchen,	Wellborn,
Fain,	McWhorter,	Winn,
Graham,	Moore,	Wooten.

Yeas 5; nays 30. So the motion to adopt the minority, in lieu of majority report, was lost.

The question recurring upon the adoption of the majority report with the resolution accompanying the same, declaring that the Senator from the 1st District is not eligible to a seat ;

the question was put and the majority report, with the resolution accompanying the same, was adopted.

Mr. McArthur, offered the following resolution, to-wit :

Whereas, Aaron A. Bradley, who received the highest number of votes for Senator from the 1st Senatorial District of the State of Georgia, has been declared by the Senate ineligible as Senator under Sections 3 and 6 of the 2d Article of the Constitution of Georgia, having been convicted of a crime punishable by law with imprisonment in the penitentiary; and whereas Rufus E. Lester, received the next highest number of votes to said Aaron A. Bradley, for Senator from the 1st Senatorial District; therefore,

Resolved, That the said Rufus E. Lester, is the duly elected Senator from the 1st Senatorial District of the State of Georgia, and as such, upon taking the oath prescribed by the Constitution, he be allowed to take his seat as said Senator.

Mr. Merrill, raised the point of order that the resolution could not be entertained unless by a suspension of the rules for that purpose, the same being out of order.

The Chair decided the point well taken.

Mr. Candler, then moved to suspend the rules for the purpose of taking up the resolution, which was not agreed to.

The following message was received from the House of Representatives, by Mr. Hardin, their Clerk.

Mr. President: The House of Representatives have concurred in the following resolution of the Senate, and I am instructed to transmit the same to the Senate forthwith, to-wit:

A resolution, authorizing the Governor to issue writs of election as in other cases of vacancy for members of the House of Representatives and county officers in the counties of Telfair and Irwin.

On motion of Mr. Higbee, the Senate went into Executive Session.

After Executive Session the doors were thrown open, and it transpired that the following nominations made by his Excellency the Governor, had been confirmed, to-wit:

S. Calvin Johnson, Esq., of the county of Dawson, to be Solicitor for the Superior Court of the Blue Ridge Circuit, for the term of four years from the 21st day of July, 1868.

Charles D. Davis, Esq., of the county of Walton, to be Judge, and William L. Marler, of the county of Jackson, to be Solicitor for the Superior Court for the Western Circuit for the term of four years from the 21st day of July, 1868.

The rules were suspended and the following resolution of the House of Representatives concurred in, to-wit :

A resolution to appoint a committee to examine the books and papers of the Western & Atlantic Railroad.

The Chair appointed Messrs. Smith, of the 36th District, Bruton and Burns, as such committee on the part of the Senate.

The rules were suspended, and Mr. Smith, of the 7th District offered the following resolution, which was adopted, to-wit :

Resolved, That the President of the Senate be authorized to add two additional Senators to the committee appointed to look after the State's interest in the Atlantic & Gulf Railroad.

In accordance with the above, the Chair appointed Messrs. McArthur and Graham.

The rules were suspended, and Mr. Hungerford, offered the following resolution, which was laid on the table, to-wit :

Resolved, That a committee of three from the Senate, and four from the House, be appointed from the Standing Public Building Committee, to go to Milledgeville, and look after the public buildings.

On motion, leave of absence was granted Senators Candler, Richardson, and Stringer, for to-morrow.

On motion of Mr. Higbee, the Senate adjourned until to-morrow morning at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Friday, August 14th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by Rev. Mr. Smith, Honorable Senator from the 7th District.

The roll was called, and the Journal of the previous day read, and approved.

Mr. Campbell, gave notice during the reading of the Journal, that he would move to reconsider so much of the action of the Senate on yesterday as relates to the adoption of the majority report of the Committee appointed on the case of the Senator from the 1st District.

The following message from his Excellency the Governor, was taken up and read.

EXECUTIVE DEPARTMENT,

Atlanta, Georgia, August, 10th, 1868

To the General Assembly :

Your attention is respectfully invited to the necessity for a modification of the 1029th section of the Revised Code, which is as follows :

“The duties of the public printer do not begin until the first day of the next session of the General Assembly after his election.”

The action of the legislature of 1865 and 1866, not having been recognized as valid by the United States, nor by the Constitutional Convention assembled under the authority of that Government, (except in giving validity to acts passed etc., not inconsistent with the present Constitution,) persons elected to offices by said legislature cannot now be recognized as legal officers of the State. The Constitutional Convention having readopted the section of the Code referred to, the public printer elected by the present General Assembly cannot legally enter upon his duties as such until the first day of your next session.

There being therefore no public printer for this session, it is respectfully recommended that so much of said section of the Code as prevents that officer from immediately entering upon the discharge of his duties be repealed.

RUFUS B. BULLOCK,

Governor.

A sealed communication was received from His Excellency the Governor, by Mr. deGraffenreid, his Secretary, requesting that the same may be considered in Executive Session.

On motion of Mr. Wooten, the Senate then went into Executive Session, and after remaining some time therein, the doors were thrown open, and it transpired that the following nominations of His Excellency the Governor had been confirmed to-wit :

The Honorable Henry K. McCay, of the county of Sumter, to be a Judge of the Supreme Court, for the term of eight years, from the 21st day of July, 1868.

The Honorable Hiram Warner, to be a Judge of the Supreme Court for the term of four years, from the 21st day of July, 1868.

The Honorable Garnett Andrews, of the county of Wilkes, to be Judge of the Northern Circuit, for the term of eight years from the 21st day of July, 1868.

The Honorable John M. Matthews, of the county of Madison to be Solicitor General of the Northern Circuit, for the term of four years, from the 21st day of July, 1868.

The Honorable Charlton B. Cole, of the county of Bibb, to be Judge of the Macon Circuit, for the term of four years from the 21st day of July, 1868.

The Honorable Ezekiel W. Crocker, of the county of Twiggs, to be Solicitor General of the Macon Circuit, for the term of four years from the 21st day of July, 1868.

The Honorable S. Wise Parker, of the county of Clay, to be Solicitor General of the Pataula Circuit, for the term of four years, from the 21st day of July, 1868.

The Honorable John R. Alexander, of the county of Thomas, to be Judge of the Southern Circuit, for the term of four years, from the 21st day of July, 1868.

The Honorable William B. Bennett, of the county of Brooks, to be Solicitor General of the Southern Circuit, for the term of four years, from the 21st day of July 1868.

Mr. Higbee, from the Committee on Enrollment made the following report, to-wit:

Mr. President: The Committee on Enrollment report as duly enrolled, and ready for the signatures of the President of the Senate, and Speaker of the House of Representatives, the following resolution, to-wit:

A resolution authorizing the Governor to issue writs of election as in other cases of vacancy, for members of the House of Representatives, and county officers, in the counties of Telfair and Irwin.

E. I. HIGBEE,
Chairman.

The rules were suspended, and Mr. Higbee, offered the following resolution, which was adopted, to-wit:

Resolved, That the sub-committee appointed by the Senate to visit the Academy for the Deaf and Dumb, have leave of absence for that purpose.

On motion the rules were suspended, and Mr. McArthur, offered the following resolution, which was adopted, to-wit:

Resolved: That the Secretary of the Senate be authorized to appoint at his discretion, an additional number of Engrossing and Enrolling Clerks, for the business of the present session, not to exceed seven, whose pay shall begin from the time their services to the State commence.

The following message was received from the House of Representatives, through Mr. Hardin, their clerk.

Mr. President: The House of Representatives have passed the following bills, to-wit:

A bill to be entitled an act to deprive the Mayor and Marshall of the town of Valdosta, of Lowndes county, of any and all fees, and to fix their salaries.

Also, a bill to be entitled an act to incorporate the town of Trion, in the county of Chattooga, and for other purposes.

Also, a bill to be entitled an act to incorporate the Citizens Bank, of Dalton Georgia, and to define the privileges of said incorporation.

Also, a bill to be entitled an act to change the law of evidence.

Mr. Holcombe, from the committee on Agriculture and Manufactures, submitted the following, to-wit:

The Committee on Agriculture and Manufactures beg leave to make the following report:

The committee recommend, that the bill entitled an act to protect planters from imposition in the State of Georgia from sale of fertilizers, do pass with the following additional section, to-wit: Section 5; That this act take effect from and after the first day of January next.

The committee recommend that the bill entitled an act to prevent stock from running at large, do not pass; that while it may have merit in some districts of the State it would be objectionable to the larger portion thereof.

The committee recommend that the bill entitled an act to incorporate the Cherokee Manufacturing Company of Floyd county, Georgia, do pass, with the following amendments, to-wit: in the fifth section and eighth line, after the word "such," insert, unpaid, which will make it read "unpaid stock." That the entire seventh section be stricken out.

A. M. HOLCOMBE,

Chairman.

The following message was received from His Excellency the Governor, by Mr. Davis, his Secretary, to-wit:

Mr. President: I am directed by the Governor to deliver to the Senate a communication in writing with accompanying documents.

EXECUTIVE DEPARTMENT.

Atlanta, Georgia, August 14th, 1868.

To the General Assembly: The reports of the Provisional Treasurer, and of the Provisional Secretary of State and Comptroller General, are herewith transmitted for the information of the General Assembly.

I embrace this opportunity to again respectfully invite your attention to the justice of authorizing the payment, to these officers, of the salaries attached to their respective offices. The services rendered, as shown by the reports, are of great value to the State.

RUFUS B. BULLOCK,
Governor.

TREASURER'S OFFICE,

Milledgeville, August 10th, 1868.

His Excellency, R. B. BULLOCK, Atlanta, Georgia.

SIR: I have the honor to transmit herewith a copy of my report to the Major General Commanding Department of the South.

Very respectfully, your obedient servant,
C. F. ROCKWELL, Prov. Treasurer.

TREASURER'S OFFICE,

Milledgeville, August 10th, 1868.

Assistant Adjutant General, Department of the South, Atlanta, Georgia.

SIR: In compliance with General Orders No. 8, dated Headquarter's 3rd Military District, Atlanta, Georgia, January 13th, 1868, I proceeded to this place and took possession of the office, and assumed the duties of Treasurer of Georgia. The late Treasurer, John Jones, refused to turn over any records, from which the condition of the Treasury could be ascertained; he also refused to turn over the assets, etc. I found in the vault the sum of ten cents, (\$00,10) and have also taken possession of the sum of five thousand two hundred and twenty-two dollars and eighty-nine cents. (\$5222,89,) funds of the State, found in the Georgia National Bank, of Atlanta, Georgia.

The enclosed exhibit will show the amount of funds received from different sources, and the amount expended since January 15th, 1868; also the amount which I turn over to my successor, N. L. Angier, Treasurer.

Very respectfully, your obedient servant,
C. J. ROCKWELL, Prov. Treasurer.

Charles F. Rockwell, Brevet Captain United States Army, and Provisional Treasurer of the State, in account with the State of Georgia, from the 15th day of January, 1868, to the 10th, day of August, 1868, both days inclusive.

1868.

Rec'd from General Tax of 1867.....	L. F. 4	\$68,854 40
“ Liquor tax of 1867.....	“ 5	856 38
“ Tax on Insurance Companies.....	“ 9	500 50
“ Tax on Circus Exhibitions.....	“ 7	485 00
“ Tax on Wild Lands.....	“ 6	3 40
“ Western & Atlantic Railroad.....	“ 3	175,600 00
“ Convention tax of 1868.....	“ 8	124,920 76
“ Fees of Executive Department.....	“ 16	4 00
“ Secretary of State's Office.....	“ 17	15 00

\$370,639 44

Amount found in vault	10	
“ “ Bank at Atlanta.....	5,222 89	\$5,222 99
1868.		
Paid in Civil Establishment of 1867.....	L. F. 14	\$268 48
“ Civil Establishment of 1868.....	“ 15	32,207 79
“ Contingent Fund of 1867.....	“ 10	3,846 28
Paid on Printing Fund of 1867.....	“ 12	2,252 00
“ Over-payment of taxes, 1867.....	“ 13	3,307 92
“ Special appropriations.....	“ 11	229,263 09
Advances under Art. 11, Sec. 86, Code of Georgia.....		1,537 50
Balance.....		97,956 38
		<u>\$370,639 44</u>
Balance turned over to N. L. Angier.....		\$103,179 37

OFFICE COMPTROLLER GENERAL,
Milledgeville, Georgia, August 10th, 1868.

His Excellency, RUFUS B. BULLOCK, Governor of Georgia:

Sir: I have the honor to submit the following statement for your information

On the 21st day of January, I relieved Mr. John T. Burns of the duties of Comptroller General of Georgia, in compliance with General Orders, No. 12, U. S. Headquarter's Third Military District.

When I came to this office pursuant to the provisions of my order, I discovered that Mr. Burns had no Journal, Ledger, Warrant, Blotter or Receipt Book, but that he had caused them to be removed from the office. I made a demand in writing for them, to which he replied, declining to return them to the office.

Not being able to discover the whereabouts of said books, I deemed it proper to have some made, and immediately ordered them made.

The Tax Digests, a book containing accounts with the Tax Collectors, the Tax Collectors' accounts and correspondence were left in the office.

I immediately proceeded to the collection of the tax due on general tax of 1867, by order of Brevet Brigadier General T. H. Ruger, Provisional Governor of Georgia, and other duties required by law, and orders from Headquarters Third Military District.

Having been ordered by the Provisional Governor to state the account of John Jones, former Treasurer, who was relieved by Captain C. F. Rockwell, United States Army, I proceeded on the 15th of February, at 10 o'clock, A. M. to examine the accounts, etc., of the Treasurer in accordance with section 89, Irvin's Code of Georgia. I found no books

or records in said office of value, except for reference, they being those of past years. Those of the current year were removed from the office, and the funds were removed from the vault, with the exception of ten cents in United States currency. No statement was furnished by the former Treasurer or paper of any kind by which the condition of the State finances could be ascertained.

I have the honor to enclose with this an exhibit which shows the condition of accounts since I have been in office. I found nothing in the office from which I could derive any information as to the amounts expended on the different appropriations, and was guided by the laws of Georgia and the instructions received from the Major General commanding 3d Military District. I have not been able to collect all that is due the State on general tax of 1867. Muscogee and Chatham have given the most trouble, more especially the first named. Many of the collectors have failed to send in the papers required for their final settlement of their accounts. Some of the collectors claim to have sent money to John Jones about the time he was removed by Capt. Rockwell. Of these I know nothing, as the amounts do not show on the books left with me. I presume that they will show when the late treasurer, Jones, turns over his books.

The exhibit shows that a large part of the Convention tax of February 8th, 1868, has come in. The amount due, or the greater part of it, will come in slowly.

The Western & Atlantic Railroad has contributed largely to the revenue of the State, during the time I have been here, as may be seen by the exhibit referred to. The disbursements which appear on the exhibit have been approved in this office on the authority from Headquarters 3d Military District, dated October 24th, 1867; sent to Mr. Jones and the authority from Provisional Governor Ruger.

The amount entered as over-payment of general tax covers that which has been refunded to tax collectors in accordance with section 847, Irwin's Code of Georgia. Several persons who claim that they have been appointed tax receivers by the Major General commanding Third Military District, have written to Major General Meade since the last election in this State, asking that the tax digest be immediately sent to them. Said letters were referred to this office from Headquarters. No information in regard to such appointments being on file, I was convinced that no appointments had been made, and if they had, the bonds were not on file. For these reasons no digests were sent out. The digests are ready, and can be furnished to the receivers at any moment. The digest for the wild land returns has not been made, owing to a doubt as to

the intention of the Legislature; but they can be made at very short notice.

I have the honor to suggest a change in these digests which I think will prevent much vexation and trouble in this office, and secure to property holders their property, without its being subject to the chance of sale for taxes, as it is now, viz: That when property located in one county is returned on the digest of another county, the tax receiver of the county in which the property is returned should be required by law to furnish the tax receiver of the county in which the property is located with a certificate, setting forth the fact of its return. Some such law as this will enable each county receiver to show by his returns that all the property in his county is returned, and exactly when it is returned. The want of such a law has caused much trouble in this office, and in several instances land has been advertised for sale for taxes, when it was properly returned and the tax paid in other counties. The owners of the lands were obliged, in some instances, to come to the Comptroller General, and with him look over several digests to find property returned, which was situated in one county.

On the 12th day of February, General Order 17, current series, Headquarters Third Military District, came to hand. This order removed Mr. N. C. Barnett from the office of Secretary of State, and required me to discharge the duties of said office. I immediately proceeded to carry out the requirements of the order. Mr. Barnett made no resistance, but he or some one else has removed the great seal of the State from the office. I made a demand upon him for it, but he did not produce it until the 8th day of the present month, when he returned it to the office where it belongs. All records remained in the office.

There are a number of county maps now ready to be sent out, as required by the last Legislature.

I have this day been relieved from duty at the State House of Georgia by my successors, who were elected by the Legislature now in session at Atlanta.

Very respectfully,

(Signed)

C. WHEATON,
Captain U. S. Army.

Receipts and Disbursements at the Treasury of Georgia, from the 13th January, 1868, to the 10th August, 1868, both days inclusive.

DR.

CR.

1868.	1868.	1868.	1868.
From Convention tax of 1868.....	\$124,920 76	On Civil Establishment of 1867...	\$268 48
From general tax of 1867.....	68,854 40	On Civil Establishment of 1868...	82,207 79
From liquor tax of 1867.....	856 38	On Contingent Funds of 1867.....	8,846 28
From tax on wild lands, 1867.....	3 40	On Printing Funds of 1867.....	2,252 00
From tax on insurance companies, 1867.....	500 50	On special appropriations of 1867	229,263 09
From tax on circus companies, 1867.....	485 00	On over-payment of general tax of 1867.....	3,307 92
From Western & Atlantic R. R....	175,000 00	Balance in Treas., Aug. 11, 1868..	99,493 92
From fees of Ex. Department.....	4 00		
From fees Sec. State office	15 00		
	\$370,639 44		\$370,639 44

The above is a true Exhibit of the accounts of the Provisional Comptroller General of Georgia, during the time mentioned.

C. WHEATON,
Provisional Comptroller General.

Office Comptroller General, August 11, 1868.

On motion of Mr. Harris, the reports were referred to the Committee on Finance, and the Secretary directed to have one hundred copies of each printed for the use of the Senate.

The following message was received from his Excellency the Governor, by his Secretary, Mr. Davis, to-wit:

EXECUTIVE DEPARTMENT,

ATLANTA, GA., August 14, 1868.

To the Senate: Inadvertently, the term for which the Solicitor of the Cherokee Circuit is appointed, is stated as eight instead of *four* years, as required by the 8th section of the Constitution.

The appointment having been consented to by the Senate for eight years, I would respectfully recommend that the word "eight" be stricken out, and the word "four" inserted.

RUFUS B. BULLOCK, *Governor.*

On motion of Mr. Holcombe, the message just received from his Excellency the Governor, relating to an inadvertency in the nomination of Solicitor General for the Cherokee Circuit, was taken up, and the word "eight" stricken out and the word "four" substituted in lieu thereof.

In conformity with previous notice, Mr. Campbell moved to reconsider so much of the action of the Senate on yesterday as relates to the adoption of the majority report of the committee on the case of the Senator from the 1st District.

After debate, the hour of adjournment having arrived, the President announced the Senate adjourned until to-morrow morning at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Saturday, August 15th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by Rev. Mr. Hinton, Honorable Senator from the 24th District.

The roll was called, and the Journal of the previous day read and approved.

Mr. Burns, gave notice during the reading of the journal, that he protested against so much of the journal of yesterday as asserts the confirmation of the Honorable Henry K. McCay, as Associate Justice of the Supreme Court.

Mr. Jones, moved that the Senate adjourn until Wednesday morning at ten o'clock, which was not agreed to.

The following message was received from his Excellency the Governor, by Mr. Eugene Davis, his Secretary, to-wit :

Mr. President: His Excellency the Governor has approved and signed the following joint resolution, to-wit :

"A resolution authorizing the Governor to issue writs of election as in other cases of vacancy for members of the House of Representatives and county officers in the counties of Telfair and Irwin."

The Senate resumed the unfinished business of yesterday, the same being the motion of Mr. Campbell, to reconsider the action of the Senate in relation to the adoption of the majority report of the committee on the case of the Senator from the 1st District, Mr. Campbell, having the floor.

After debate, Mr. Smith, of the 7th District, raised the point of order that there was not a quorum present, and moved that the roll be called in order to ascertain that fact, whereupon, the Secretary was directed to call the roll, and it appeared that a quorum of Senators was not present.

Mr. Candler, then offered the following resolution, which was adopted, to-wit :

Resolved, That the Messenger be directed to summon Senators William B. Jones, Sherman, Corbitt, Colman, Wallace and others, who have absented themselves without leave of the Senate from its session, to return to their seats. At this juncture, several Senators returned to their seats, when the President declared a quorum to be present. Mr. Campbell, continued.

Mr. Burns, raised the point of order that the Senator from the 2d District was speaking in an irrelevant manner and that the Senate was being fatigued with his tedious and impertinent remarks.

The Chair decided the point not well taken; and that the Senator could proceed in order.

Mr. Burns, appealed from the decision of the Chair, and read from Hale's Parliamentary Law, "that no one is to speak impertinently, or beside the question, superfluously or tediously."

The Chair stated that he was governed by the rules of the Senate, and decided that the Senator being in order, there could be no point of order raised on him. Mr. Campbell, continued.

Mr. Nunnally, raised the point of order that if a member is speaking impertinently and is called to order it would be

competent for the Senate to entertain a motion for the prolongation of time before he resumed.

The Chair decided the point not well taken

Mr. Nunnally, appealed from the decision of the Chair.

The Chair put the question before the Senate, and was sustained. Mr. Campbell, resumed.

The hour of adjournment having arrived, the President announced the Senate adjourned until Monday morning at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Monday, August 17th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by Rev. Mr. Smith, Honorable Senator from the 7th District.

The roll was called, and the Journal of Saturday read and approved.

The Senate resumed the unfinished business of Saturday, the same being the motion of Mr. Campbell, to reconsider the action of the Senate in relation to the adoption of the majority report of the special committee on the case of A. A. Bradley, Mr. Campbell, having the floor.

Mr. Winn, moved to suspend the rules for the purpose of introducing a resolution.

The Chair decided that the motion to suspend the rules could not be entertained, as the Senator from the 2d District was entitled to the floor.

Mr. Winn, appealed from the decision of the Chair.

The question was put before the Senate, and the Chair was sustained.

Mr. Adkins, rose to a question of privilege, and offered the following resolution, which was laid on the table, to-wit:

Whereas, the Reporter of the Constitution, a paper published in this city, has wantonly abused the courtesies extended him by the Senate, to occupy a seat upon this floor, by garbling and perverting language used in debate, and by references to the members under epithets the most vile and opprobrious; therefore, be it,

Resolved, That said reporter be no longer allowed a seat in this chamber.

Mr. Smith, of the 36th District, moved to lay the resolution on the table, which was agreed to.

The regular order was resumed, and Mr. Campbell, moved to lay the motion for reconsideration in the case of A. A. Bradley, on the table without further debate, which was agreed to.

Mr. Fain, presented a memorial from citizens of Darien, which was read and referred to the Committee on Petitions.

Mr. Winn, presented a memorial from Joseph Elsas, of the county of Cobb, asking assistance for emigrants from Europe, which was read and referred to the Committee on Agriculture and Manufactures.

Mr. Wellborn, presented a memorial from citizens of Milledgeville, as to the seat of Government.

Mr. Holcombe, moved to refer the memorial to the Committee on the State of the Republic.

Mr. Griffin, of the 21st District, moved as a substitute to refer the memorial to a special committee of five.

Mr. Winn, moved to lay the memorial and the motion to refer to a committee, on the table, which was not agreed to.

Mr. Griffin, of the 20th District, called for the previous question, which was sustained.

The main question was then ordered to be put, and the motion to refer to a special committee of five, was agreed to.

The Chair announced as the committee under the above, Messrs. Griffin, of the 21st District, Winn, Speer, Holcombe, and Smith, of the 36th District.

Mr. Campbell, presented a memorial from citizens of Darien, which was read and referred to the Committee on Petitions.

Mr. Welch, presented a petition from citizens of Albany, praying the exemption of certain firemen, from jury duty, which was read and referred to the Committee on Petitions.

Mr. Candler, presented a memorial from citizens of Warren county, as to the reduction of the bonds of civil officers of this State.

Also, a preamble and resolution of City Council of Savannah, which were read and referred to the Committee on the Judiciary.

The rules were suspended for the introduction of new matter, and the following bills were introduced and severally read the first time, to-wit :

By Mr. Colman, a bill to be entitled an act to incorporate the Turtle River and Screven Railroad Company

By Mr. Bruton, a bill to amend the 2489th paragraph of

the new Code of Georgia, and to allow sureties on administrators' bonds, to make returns in certain cases.

Also, a bill to incorporate the Marshall House Company of Savannah.

Also, a bill to fix the compensation for taking down in writing the evidence on charges of felony.

By Mr. Holcombe, a bill to be entitled an act to incorporate the Southern Life Insurance Company.

Also, a bill to be entitled an act to reorganize the Municipal government of the city of Augusta.

On motion of Mr. Winn, the rules were suspended and the following resolution of Mr. Hungerford, was taken up and agreed to, to-wit :

Resolved, That a committee of three from the Senate, be appointed from the standing public building committee, to go to Milledgeville, and look after the public buildings. The Chair appointed as said committee, Messrs. Hungerford, McArthur, and Moore.

The regular order being resumed, the following bills were introduced and severally read the first time, to-wit :

By Mr. Smith, of the 7th District, a bill to be entitled an act to incorporate the Bainbridge District of the South Georgia Conference.

Also, a bill to be entitled an act to authorize the sale of the real estate of the Fletcher Institute, and reinvest the proceeds of said sale.

By Mr. Welch, a bill to exempt certain persons from jury duty who are members of the fire companies in the city of Albany.

By Mr. Wooten, a bill to be entitled an act to amend an act to incorporate the Dawson Manufacturing Company.

Also, a bill to be entitled an act to change the line between the counties of Randolph and Terrell, so as to include the residence and farm of James W Bone, within the limits of Terrell county.

By Mr. Moore, a bill to be entitled an act to alter and amend section 1, article III, chapter 2d of Irwin's Code of Georgia, relating to foreclosure of mortgages.

Also, a bill to amend article 2d, chapter 3d, title 2d, part 2d of the Code of Georgia.

By Mr. Jones, a bill to repeal section 3525 of Irwin's Code of Georgia, in relation to judgment liens, and to adopt a section in lieu of said repealed section, and also to change section 2863 of said Code, to make it conformable to this act.

By Mr. Adkins, a bill for the summary enforcement of section 30 of the 1st article of the Constitution.

Also, a bill for the protection of citizens of this State.

On motion the rules were suspended, and Mr. Speer, offered the following resolution, which was adopted, to-wit :

Resolved, That the President appoint a sub-committee of three, from the Committee on the Asylum for the Blind, to proceed to Macon, and examine into the condition of said asylum, and that said sub-committee, have leave of absence while necessarily absent on said committee.

The Chair appointed as the committee under the above, Messrs. Speer, Wooten, and Griffin, of the 21st District.

The regular order was resumed, and the following bills were introduced, and severally read the first time, to-wit :

By Mr. Griffin, of the 21st District, a bill to be entitled an act to levy and collect a tax on pistols and bowie knives.

Also, a bill to be entitled an act to alter and amend the 10th article of the Constitution of this State.

By Mr. Hinton, a bill to change the time for holding elections for Governor, members of Congress, and members of the General Assembly, also to change the time for the meeting of the legislature.

Also, a bill to incorporate the Georgia and Alabama Life Insurance Association.

Also, a bill for the relief of Mrs. Margaret W Crew, of the county of Marion.

By Mr. Nunnally, a bill to be entitled an act to prescribe the time of holding elections for members of Congress in the year 1868, and thence afterwards.

Also, a bill to be entitled an act to authorize the Universal Life Insurance Company, to make investments in the State of Georgia.

Also, a bill to be entitled an act to establish a new county from the counties of Troup, Meriwether, Coweta, and Heard, of this State, to be called Hogan county.

On motion the rules were suspended, and Mr. Harris, moved that when the Senate adjourns it shall stand adjourned until Wednesday morning at ten o'clock, which was agreed to.

The rules were suspended, and on motion of Mr. Candler, the time of adjournment was extended to perfect the reading of bills the first time.

The regular order was resumed, and the following bills were introduced and severally read the first time, to-wit :

By Mr. Speer, a bill to relieve Samuel W Gardner, of the State of Mississippi.

By Mr. Harris, a bill for the relief of bank officers.

By Mr. Jordan, a bill to secure in the records of ordinances and other officers of this State.

By Mr. Candler, a bill to define the duties and liabilities of foreign insurance companies, and their agents doing business in this State.

Also, a bill to be entitled an act more effectually to declare the intent and meaning of mechanic and other liens, and to carry into effect the 30th section of the 1st article of the Constitution.

Also, a bill to authorize executors and administrators, residents of any other State of the United States, to sell and convey real estate of their testators or intestates recovered by suits at law in this State, by said executors or administrators, under the same rules and regulations as are now prescribed for executors and administrators, residents of this State.

Also, a bill to be entitled an act to require plaintiffs and owners of judgments or decrees, rendered in any of the courts of this State, to be enforced out of the county where rendered against property which has passed through the possession of the defendants, to be recorded in the county in which they are to be enforced, and for other purposes.

By Mr. Smith, of the 36th District, a bill to be entitled an act to alter and amend the 4330th section of Irwin's Code, changing the penalty of horse stealing from death, to penitentiary offence.

Also, a bill to alter and amend the 4322d section of Irwin's Code, changing the penalty of burglary in the night, from death, to penitentiary offence.

By Mr. Wellborn, a bill to be entitled an act to increase the capital and define the powers of the Georgia Railroad and Banking Company.

Also, a bill to be entitled an act to authorize the Georgia Railroad and Banking Company, to extend their road upon certain conditions, from Athens, Georgia, to the town of Clayton, in Rabun county, and to authorize the Governor, to subscribe a certain amount of stock to said Georgia Railroad and Banking Company, upon certain conditions and limitations therein named.

By Mr. Winn, a bill to be entitled an act to establish the City Court of Atlanta.

On motion, the rules were suspended, and Mr. McArthur, offered the following resolution, to-wit :

Resolved, That the rules of the Senate be so amended as not to allow any member to speak on the same question longer than one hour, without a suspension of the rules for that purpose.

Mr. Burns, offered the following, as a substitute, to-wit :

Resolved, That rule 5, of the Senate be amended so as to read as follows:

No member shall speak more than twice upon the same subject, or longer than thirty minutes at a time, without the consent of a majority of the Senate, unless to explain.

Mr. Winn, offered the following, as an amendment to the original and the substitute, which was adopted, to-wit:

Resolved, That no Senator shall be allowed to speak more than thirty minutes, except by leave of the Senate, and shall not be allowed to speak a second time until all Senators who wish to do so, have spoken on the question, and that this resolution be made a standing rule of the Senate.

The President announced the Senate adjourned until Wednesday morning at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Wednesday, August 19th, 1868.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Nott.

The roll was called, and the Journal of Monday was read and approved.

Mr. Burns, moved to reconsider so much of the Journal of Monday as relates to the adoption of the following resolution of Mr. Winn, to-wit:

“That no Senator shall be allowed to speak more than thirty minutes except by leave of the Senate, and shall not be allowed to speak a second time, until all Senators, who wish to do so, have spoken on the question, and that this resolution be made a standing rule of the Senate.”

Mr. Harris, called for the previous question, which was sustained.

The main question was then ordered to be put, and the motion to reconsider did not prevail.

The following message was received from His Excellency the Governor, by Mr. deGraffenreid, his Secretary, to-wit:

Mr. President: I am directed by His Excellency the Governor, to deliver to the Senate a sealed communication, which he respectfully asks may be considered in Executive session.

Mr. Harris, moved that the Senate do now go into Executive session.

After debate, Mr. Higbee, moved the previous question, which was sustained.

The main question was then ordered upon the motion to go into Executive session, whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative are Messrs.

Adkins,	Dickey,	Jordan,
Bowers,	Griffin, (6th District.)	Merrill,
Brock,	Harris,	Sherman,
Campbell,	Higbee,	Smith, (36 District)
Colman,	Hungerford,	Stringer,
Corbitt,	Jones,	Wallace,
		Welch,

Those voting in the negative are Messrs.

Anderson,	Griffin, (21st District.)	McCutchen,
Bruton,	Hicks,	Nunnally,
Burns,	Hinton,	Smith, (7th Dist.)
Candler,	Holcombe,	Winn,
Collier,	Moore,	Wellborn,
Fain,	Nisbet,	Wooten,

Yeas 19 ; nays 18. So the Senate went into Executive session.

After Executive session the doors were thrown open, and it transpired, that the Senate had confirmed the following appointments of His Excellency the Governor, to-wit :

The Honorable David B. Harrall, of the county of Webster, to be Judge of the Pataula Circuit, for the term of four years, from the 21st day of July, one thousand eight hundred and sixty-eight.

The Honorable James M. Clarke, of the county of Sumter to be Judge of the Superior Courts in the South Western Circuit, for the term of eight years, from the twenty first day of July, one thousand eight hundred and sixty-eight.

The Honorable Richard A. Whiteley, of the county of Decatur, to be Solicitor General of the Superior Courts in the South Western Circuit, for the term of four years, from the twenty first day of July, one thousand eight hundred and sixty-eight.

The Honorable James W. Green, of the county of Upson, to be Judge of the Superior Courts in the Flint Circuit, for the term of four years, from the 21st day of July, one thousand eight hundred and sixty-eight.

The Honorable Lemuel B. Anderson, of the county of Newton, to be Solicitor General of the Superior Courts in the Flint Circuit, for the term of four years, from the 21st day of July, one thousand eight hundred and sixty-eight.

On motion the rules were suspended to take up for a third reading, a bill to be entitled an act to authorize the holding of the Superior Courts, at the ensuing fall terms, and to provide juries therefor.

On motion of Mr. Candler, the Senate adjourned until tomorrow morning at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

THURSDAY, August 20th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President. Prayer by Rev. Mr. Hinton, Honorable Senator from the 24th District.

The roll was called, and the Journal of the preceding day read and approved.

On motion, the rules were suspended, and Mr. Harris offered the following resolution, which was adopted, to-wit :

Resolved, That the use of the Senate Chamber be granted to Mrs. Yelverton, on to-night for her reading.

Mr. Higbee, from the Committee on Enrollment, submitted the following report :

Mr. President : The Committee on Enrollment, report as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following resolution, to-wit :

A resolution to appoint a committee to examine the books and papers of the Western and Atlantic Railroad.

E. I. HIGBEE,

Chairman.

The Senate resumed the unfinished business of yesterday, the same being a bill to be entitled an act to authorize the holding of the Superior Courts at the fall terms, and to provide juries therefor.

On motion, the bill was taken up, read the third time, and passed.

On motion of Mr. Candler, the Secretary was directed to transmit the same forthwith to the House of Representatives.

Mr. Candler, presented a memorial from citizens of Savannah, which was referred to the Committee on the Judiciary.

On motion, the rules were suspended, and Mr. Smith, from the 36th District, offered the following resolution, which was adopted, to-wit :

Resolved, That the rules of the Senate be so amended as to allow the President, to appoint an additional standing committee, styled a committee on "New Counties and County Lines."

The Chair announced as the committee under the above, Messrs. Smith, of the 36th District, Nunnally, Jones, McArthur, Stringer, Moore, and Hicks.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President, The House of Representatives, have adopted the following resolution, to-wit:

A resolution to authorize the State Treasurer, to pay to the President of the Board of Trustees of "Bowden College," amounts expended for the education of indigent and maimed soldiers, and I am directed to transmit the same forthwith to the Senate.

Also, a bill to incorporate the town of Colquitt.

Mr. Merrill, from the Committee on the Judiciary, made the following report:

Mr. President: The Judiciary Committee, to whom was referred a bill to be entitled an act to change the laws of this State, wherever the words "Milledgeville" is named or referred to as the capital, have had the same under consideration, and recommend that the same do pass.

Also, a bill to amend an act entitled an act to fix the times of holding the Supreme Court, and to regulate proceedings therein, which they recommend do pass.

Also, a bill to be entitled an act to incorporate a fire company in the city of Macon, to be known by the name of Defiance Fire Company, No. 5, which they recommend do not pass.

Also, a bill to incorporate the Neptune Fire Company, in the town of Thomasville, which they recommend do not pass.

Also, a bill to extend the provisions of an act entitled an act to authorize the formation of two fire companies in the city of Macon, to be called the Protection Fire Company, No. 1, and Ocmulgee Fire Company, No. 2, of the city of Macon, and to confer on the members thereof, certain privileges and exemptions, approved February 7th, 1854, to Mechanics' Fire Company, No. 4, of the city of Macon, any law to the contrary notwithstanding, which they report back without recommendation.

Also, a bill to be entitled an act to provide for the election

of a Mayor and Board of Aldermen, for the city of Savannah, which they recommend do pass.

W W MERRILL,
Chairman.

On motion of Mr. Smith, of the 7th District, the Senate took up and concurred in the following resolution of the House of Representatives, to-wit:

A resolution to authorize the State Treasurer to pay to the Board of Trustees of "Bowden College," amounts expended for the education of indigent and maimed soldiers, from May 1st, 1868, to July 1st, 1868.

The following message was received from his Excellency, the Governor, through Mr. deGraffenreid, his Secretary

Mr. President: I am directed by his Excellency the Governor, to deliver to the Senate, a sealed communication, which he asks to have considered in Executive session.

On motion of Mr. Jones, the Senate then went into Executive session, and after remaining some time therein, the doors were thrown open, and it transpired that the following nominations of his Excellency the Governor, had been confirmed by the Senate, to-wit:

The Honorable John D. Pope, of the county of Fulton, to be Judge of the Superior Courts in the Coweta Circuit, for the term of eight years, from the 21st day of July, one thousand eight hundred and sixty-eight.

The Honorable William A. Adams, of the county of Meriwether, to be Solicitor General of the Superior Courts of the Coweta Circuit, for the term of four years, from the 21st day of July, one thousand eight hundred and sixty-eight.

The Honorable William Gibson, of the county of Richmond, to be Judge of the Middle Circuit, for the term of four years, from the 21st day of July, one thousand eight hundred and sixty-eight.

On motion of Mr. Holcombe, the Senate adjourned until to-morrow morning at 9 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

FRIDAY, August 21st, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Smith, Honorable Senator from the 7th District.

The roll was called, and the Journal of the previous day read and approved.

Mr. Higbee, in accordance with previous notice, moved to reconsider so much of the journal of yesterday as relates to the concurrence of the Senate, in the resolution of the House of Representatives, requesting the State Treasurer to pay to the President of the board of trustees of Bowden College, the amount that may be due from May 1st, 1868, to July 1st, 1868.

Mr. Holcombe, called the previous question, which being sustained, the main question was ordered to be put, and the motion to reconsider was not agreed to.

On motion of Mr. Smith, of the 7th District, the Secretary was directed to transmit the action of the Senate, forthwith to the House of Representatives.

On motion, the rules were suspended, and Mr. Higbee, offered the following resolution, which was adopted, to-wit:

Resolved, by the Senate and House of Representatives, that the Treasurer of the State be authorized to advance to each member of the General Assembly, and its officers, the sum of one hundred dollars, the same to be accounted for in a settlement of their final accounts for per diem and mileage.

On motion, the Secretary was directed to transmit the same forthwith to the House of Representatives.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives, have passed the following bill, to-wit:

A bill to be entitled an act to reorganize the Municipal Government, of the city of Augusta.

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit:

Mr. President: I am directed by the Governor, to deliver to the Senate, a sealed communication, which he respectfully asks to have considered in Executive session.

Mr. Bowers, presented a petition from citizens of Banks county, which was read and referred to the Committee on Petitions.

Mr. Nunnally, presented a petition from Rufus E. Lester, of Chatham county, asking to be sworn in as Senator from the 1st District, which was read, and on motion of Mr. Holcombe, was made the special order for to-morrow morning at ten o'clock.

Mr. Hungerford, from the Committee on Public Buildings, submitted the following report, which was adopted, to-wit :

Mr. President : The Committee on Public Buildings, have the honor to report that the City Council of Atlanta, having tendered the building known as the opera house, to and for the use of this Legislature, and the committee having examined the plans and diagrams of said building, respectfully recommend, that we accept the offer of said opera house, for the use of the legislature, as laid down in said plans and diagrams.

McW. HUNGERFORD,
Chairman.

On motion of Mr. Jordan, the Senate then went into Executive session, and after remaining some time therein, the doors were thrown open, and it transpired that the following appointments of his Excellency, had been confirmed, to-wit :

The Honorable Philip B. Robinson, of the county of Greene, to be Judge of the Superior Courts in the Ocmulgee Circuit, for the term of four years, from the twenty-first day of July, one thousand eight hundred and sixty-eight.

The Honorable Fleming Jordan, of the county of Jasper, to be Solicitor General of the Superior Courts in the Ocmulgee Circuit, for the term of four years, from the twenty-first day of July, one thousand eight hundred and sixty-eight.

On motion, the rules were suspended, and Mr. Merrill, offered the following resolution, to-wit :

Resolved, That the Secretary be authorized to draw from the Treasury, and the Treasurer is hereby authorized to advance the same, a sum of money not to exceed five hundred dollars, to pay for stationery and other incidental expenses of the Senate, and that he file his receipt for the amount so drawn, and account for the same, in final settlement.

Mr. Nunnally, offered the following as a substitute, which was adopted, to-wit :

Resolved by the Senate, That the Secretary of the Senate, make out his account for such contingent expenses as have been incurred, and present the same to the Auditing Committee, and the Treasurer be requested to pay the same.

The regular order was resumed, and the following bills introduced, and severally read the first time, to-wit :

By Mr. Campbell, a bill to be entitled an act to incorporate the Georgia Steam Navigation Company, for the transportation of passengers and freight, from Bellville to Darien, Brunswick, and Savannah, and all other points, and to invest said company with the powers of insurance.

By Mr. Nesbitt, a bill to incorporate the People's Mutual Life Insurance Company, of Georgia.

On motion of Mr. Holcombe, the rules were suspended, and the House bill entitled an act to organize the municipal government of the city of Augusta, was taken up and read the first time.

Mr. Merrill, moved to suspend the rules for the purpose of taking up the resolution of the House of Representatives, authorizing the Governor to furnish all civil officers of this State, with a copy of Irwin's Revised Code, and to pay for the same out of any money in the treasury, not otherwise appropriated.

Mr. Hungerford, called the previous question, which being sustained, the main question was then ordered, and the motion to suspend the rules, did not prevail.

The regular order being resumed, the following bills were introduced, and severally read the first time, to-wit:

By Mr. Welch, a bill to amend the Charter of the city of Albany.

Also, a bill to organize a common school system, and establish a fund for the same.

By Mr. Hungerford, a bill to incorporate the Schofield Rolling Mill Company.

The hour of adjournment having arrived, the President announced the Senate adjourned until to-morrow morning at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

SATURDAY, August 22d, 1868.

The Senate met pursuant to adjournment, and was called to order by the President. Prayer by Rev. Mr. Bowers, Honorable Senator from the 31st District.

The roll was called, and the Journal of the previous day read and approved.

On motion, the rules were suspended, and Mr. Moore offered the following resolution, to-wit:

Resolved, That a committee of two from the Senate, be appointed to act in connection with a like committee from the House, to examine the books of the late Treasurer and Comptroller General.

Mr. Harris moved to lay the resolution on the table, which was not agreed to.

Mr. Winn called the previous question, which being sustained, the main question was ordered, and the resolution was adopted.

The Chair announced as the committee under the above, Messrs. Moore and Colman.

On motion, the Secretary was directed to transmit the above resolution forthwith to the House of Representatives.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have passed the following bill, to-wit:

A bill, to be entitled an act, to relieve the present Comptroller and Treasurer of certain liabilities.

They have also concurred in the following resolutions of the Senate:

A resolution asking the appointment of a special committee to examine the books of the State Treasurer and Comptroller General. They have appointed as said committee Messrs. Duncan, of Houston, Lee, of Newton, and Scott, of Floyd.

Also, a resolution authorizing the State Treasurer to advance to each member of the General Assembly, and its officers, the sum of one hundred dollars. All of which I am directed to transmit forthwith to this branch of the General Assembly.

On motion of Mr. Nunnally, the Senate took up the special order for the day, the same being the petition or prayer of Rufus E. Lester, Esq., of the county of Chatham, as follows:

To the Senate of Georgia: The undersigned, Rufus E. Lester, respectfully represents, that at the election held for Senator in the 1st Senatorial District of the State of Georgia, commencing on the 20th day of April last, Aaron A. Bradley received the highest number of votes for Senator; that your petitioner received the next highest number of votes to that received by said Bradley; that said Aaron A. Bradley was ineligible to the seat of Senator because he had been convicted of a crime punishable by imprisonment in the penitentiary; that the Senate has determined said eligibility. Wherefore, your petitioner claims that under the laws of the State of Georgia, he is legally elected Senator from said 1st

Senatorial District, and as such asks that he may be allowed to take his seat upon taking the oath prescribed in the Constitution.

Mr. Brock having obtained the floor, was, on motion of Mr. Merrill, allowed an extension of time beyond the limit of thirty minutes to conclude his remarks.

After debate, on motion of Mr. Hinton, the time of adjournment was extended beyond one o'clock, P. M.

Mr. Harris moved that the Senate do now adjourn, which was not agreed to.

After debate, Mr. Holcombe moved the previous question, which being sustained, the main question was ordered upon the adoption of the prayer of the petitioner. Whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Anderson,	Hinton,	Nesbitt,
Bruton,	Holcombe,	Nunnally,
Burns,	Jordan,	Smith, 7th Dist.,
Candler,	McArthur,	Smith, 36th Dist.,
Collier,	McCutchen,	Wellborn,
Griffin, 6th Dist.,	Moore,	Winn.

Those voting in the negative, are Messrs:

Brock,	Higbee,	Sherman,
Campbell,	Jones,	Wallace,
Colman,	Merrill,	Welch.
Harris,		

Yeas, 18; nays, 11. So the prayer of the petitioner was adopted.

Mr. Higbee gave notice that he would, at the proper time, offer a protest against the action of the Senate in the adoption of the prayer of the petitioner.

On motion of Mr. Nunnally, Mr. Lester appeared and presented himself before the bar of the Senate, and was duly sworn in as Senator from the 1st Senatorial District.

On motion of Mr. Holcombe, the Senate then adjourned until Monday morning at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

MONDAY, August 24, 1868.

The Senate met pursuant to adjournment, and was called to order by the President. Prayer by the Rev. Mr. Tra-
wick.

The roll was called, and the Journal of Saturday was read and approved.

On motion of Mr. Candler, the rules were suspended, and leave of absence granted to Senators Jordan and Nunnally, for a few days.

On motion, the rules were suspended, and Mr. Winn offered the following resolution, which was adopted, to-wit:

Resolved, That the Senate hold afternoon sessions, to commence at four o'clock, P. M., each day, for the purpose of reading bills the first and second time.

Mr. Wellborn presented a petition from G. L. Roberts and Rebecca Mathis, of the county of Union, which was read and referred to the Committee on Petitions.

On motion of Mr. Merrill, the rules were suspended, and the following bill of the House of Representatives was taken up and read the first time, to-wit:

A bill, to be entitled an act, to change the time of holding the Superior Courts for the counties of Catoosa and Cherokee.

On motion, the rules were suspended, and the Senate took up the following resolution of the House of Representatives, which was read and indefinitely postponed, to-wit:

A resolution requesting his Excellency the Governor to order special elections in the counties of Telfair and Irwin.

The following resolution of the House of Representatives was taken up, read, and laid on the table, to-wit:

Resolved, That in view of the necessity which exists, of having the common laws of the State more extensively circulated, one copy of the laws known as Irwin's Revised Code be furnished to every judicial officer in this State—the same to be furnished at the expense of the State of Georgia.

On motion, the rules were suspended, and the following resolutions of the House of Representatives were taken up and concurred in, to-wit:

A resolution authorizing his Excellency the Governor to appoint three competent persons to examine the land books of Muscogee, Carroll and Coweta counties, lately transcribed by Major H. J. G. Williams, and fix the value thereon.

Also, a resolution authorizing his Excellency the Governor to furnish all civil officers of this State with a copy of Irwin's

Code, and to pay for the same out of any money in the Treasury not otherwise appropriated.

On motion, the Secretary was directed to transmit the action of the Senate, on the foregoing resolutions, forthwith to the House of Representatives.

On motion of Mr. Candler, the order of business was suspended, and the following bill taken up and indefinitely postponed, to-wit:

A bill, to be entitled an act, to alter and amend section 649 of the Revised Code of Georgia, so far as the same relates to the age of persons subject to work on public roads.

The Senate took up the report of the Committee of the Whole on the bill, to be entitled an act, to incorporate a fire company in the city of Macon, to be known by the name of the Defiance Fire Company, No. 5.

The Judiciary Committee, to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do not pass.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill, to be entitled an act, to repeal an act assented to December 16th, 1857, entitled an act to repeal the second section of an act entitled an act to give all persons employed on steamboats and other water-craft on the Chattahoochee, Altamaha and Ocmulgee rivers, a lien on said steamboats and other water-craft, for his, her or their wages, and for wood and provisions furnished, and to point out and facilitate the mode of collection of the same, assented to December 11th, 1841, so as to include the Savannah river within the provisions of the same, and for other purposes, assented to December 27, 1842.

The Judiciary Committee, to whom this bill was referred, reported the same back to the Senate, with a recommendation in favor of its passage.

The report of the committee was agreed to, and the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole, on the bill entitled an act to change the laws of this State wherever the word Milledgeville is named as the capital of this State.

The committee to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do pass.

The report of the committee was agreed to, and the bill read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Neptune Fire Company, of the town of Thomasville.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole, on the bill "to encourage loyalty, good order and decency."

This bill was read the third time, and postponed indefinitely.

The Senate took up the report of the Committee of the Whole, on the bill "to amend an act entitled an act to fix the time of holding the Supreme Court, and to regulate proceedings therein."

The Judiciary Committee, to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do pass.

The report of the committee was agreed to, and the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole, on the bill to extend the provisions of an act entitled an act to authorize the formation of two fire companies in the city of Macon, to be called Protection Fire Company, No. 1, and Ocmulgee Fire Company, No. 2, of the city of Macon, and to confer on the members thereof certain privileges and exemptions, approved February 7th, 1854, to Mechanics' Fire Company, No. 4, of the city of Macon, any law to the contrary notwithstanding.

The Judiciary Committee, to whom this bill was referred, reported it back to the Senate without recommendation.

On motion, the bill was taken up, read the third time and postponed, indefinitely.

The Senate took up the report of the Committee of the Whole, on the bill entitled an act to incorporate the Cherokee Manufacturing Company, of Floyd county.

The Committee on Agriculture and Manufactures, to whom this bill was referred, reported the same back to the Senate with the recommendation that it do pass, with the following amendments, to-wit:

That in the fifth section, and eighth line, after the word such, insert "unpaid stock." That the seventh section be stricken out.

This bill was taken up, read the third time, and on motion, was laid on the table for the present.

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit:

Mr. President: The Governor has signed the following joint resolution, to-wit:

“A resolution authorizing the State Treasurer to advance to each member of the General Assembly and its officers, the sum of one hundred dollars.”

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives, have adopted the following resolution, to-wit:

A resolution to authorize his Excellency the Governor, to appoint a committee of three (3) persons to examine the land books of the counties of Muscogee, Carroll, and Coweta, transcribed by Major H. J. G. Williams, and fix a value thereon, which I am directed to transmit forthwith to the Senate.

They have also passed the following bill:

A bill to incorporate the Georgia Mutual Life Insurance Company.

The Committee on Enrollment, made the following report:

Mr. President: The Committee on Enrollment, report as duly enrolled and ready for the signature of the President of the Senate, and Speaker of the House, the following resolution, to-wit:

A resolution authorizing the State Treasurer to advance to each member of the General Assembly and its officers, the sum of one hundred dollars.

E. I. HIGBEE,
Chairman.

On motion, the rules were suspended, and leave of absence was granted to Senators Adkins, Jordan, and Stringer, for a few days.

The Senate took up the report of the Committee of the Whole, on the bill to amend the usury laws of this State, pending the discussion of which, the Senate adjourned until four o'clock, P. M.

FOUR O'CLOCK, P. M.

The Senate met pursuant to adjournment, and was called to order by the President.

The following bills were introduced and severally read the first time, to-wit:

By Mr. Richardson, a bill to be entitled an act to incorpo-

rate the Van Dyke Hydraulic Hose Gold Mining Company

Also, a bill to incorporate the Etowah Manufacturing and Mining Company, and to confer certain powers and privileges.

By Mr. Anderson, a bill to prescribe the mode of appointing notaries public, and to render valid their acts.

Also, a bill to amend section 4374th, of Irwin's Revised Code.

By Mr. Higbee, a bill to provide for the making of jury lists, and to regulate the drawing of jurors.

Also, a bill to alter and amend the 1029th section of the Code, so as to allow the State Printer to enter immediately upon his duties.

Also, a bill to aid and encourage the enforcement of the laws.

Also, a bill to repeal an act assented to December 18th, 1866, to educate the indigent maimed soldiers of Georgia.

Mr. Higbee, introduced the following bill, the reading of which was, on motion of Mr. Winn, made the special order for Friday evening next, to-wit :

A bill to provide and establish a general system of common schools.

By Mr. McWhorter, a bill to be entitled an act to amend section 3604th of the Revised Code of Georgia.

By Mr. Candler, a bill for the relief of Hamlin Hudgens, and ——— of DeKalb county, securities on the bond of John Hudgens, indicted at the March term 1865, of the Superior Court of Gwinnett county, Georgia, for larceny.

Also, a bill to amend section 1963d, paragraph 3d, of the Revised Code.

Also, a bill to be entitled an act to incorporate an insurance company in the city of Macon, Georgia, to be called the Cotton States' Life Insurance Company.

On motion the rules were suspended, and Mr. Winn, presented a memorial from the Superintendents of the Macon & Western, and Atlanta and West Point Railroads, which was taken up and read in connection with the following bill by Mr. Winn, to-wit :

A bill to be entitled an act for the relief of the Atlanta & West Point, and the Macon & Western Railroads.

By Mr. Merrill, a bill to be entitled an act to define the duties of the Attorney General of this State, to provide a salary for the same, and to require him to reside and hold his office at the seat of government.

Also, a bill to authorize confession of judgments in certain cases and to regulate the same.

By Mr. Brock, a bill to be entitled an act to incorporate the Georgia Western Railroad Company.

Also, a bill to be entitled an act to fix the salaries of Judges of the District Court, and District Attorneys.

Also, a bill to be entitled an act to amend section 4734 of Irwin's Code, in reference to the time, place and manner of holding elections in the city of Savannah, and by whom the same shall be held.

By Mr. Wellborn, a bill to be entitled an act to change the line between the counties of Union and Towns.

Also, a bill to be entitled an act to prevent the digging of ginseng in this State, before the first day of September in each and every year, and to provide a penalty therefor.

Also, a bill to be entitled an act for the relief of G. L. Roberts and Rebecca Mathis, of the county of Union, from the payment of a certain bond therein specified.

By Mr. Fain, a bill to be entitled an act to protect the people of Georgia against the imposition of unskillful practitioners in the practice of medicine.

Also, a bill to be entitled an act to require the Western and Atlantic Rail Road to take up the change bills put in circulation by the Superintendent thereof, under the act assented to on the 17th day of December, 1861, and for other purposes.

By Mr. Campbell, a bill to be entitled an act to compel common carriers to provide equal accommodation for passengers without any discrimination, and for other purposes.

By Mr. Graham, a bill to be entitled an act to allow Bird D. Mobley, of the county of Appling, to practice medicine in this State, and to charge for the same.

By Mr. Bruton, a bill to grant certain exemptions to Stone-wall Fire Engine Company, Number 1.

Also, a bill to permit A. K. Whitfield, of the county of Decatur, to peddle in this State free of license.

By Mr. Wooten, a bill to be entitled an act to repeal the last clause of section 584 of the Revised Code of Georgia.

On motion of Mr. Wooten, the rules were suspended and the following bill of the House was taken up and read the first time, to-wit :

A bill to be entitled an act to relieve the present Treasurer and Comptroller General of certain liabilities.

The rules were further suspended, and on motion, leave of absence was granted to Senator Speer, for a few days on account of sickness.

On motion of Mr. Graham, the Senate then adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

TUESDAY, August 25th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President. Prayer by the Rev. Mr. Tra-
wick.

The Journal of the previous day was read and approved.

Mr. Wooten, in accordance with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the indefinite postponement of the bill entitled an act to extend the provisions of an act entitled an act to authorize the formation of two fire companies in the city of Macon, to be called Protection Fire Company, No. 1, and Ocmulgee Fire Company, No. 2, of the city of Macon, and to confer on the members thereof certain privileges and exemptions, etc.

The motion to reconsider prevailed, and on motion of Mr. Candler, the bill was laid on the table for the present.

Mr. Nunnally, from the Committee on Internal Improvement, submitted the following report, to-wit:

Mr. President: The committee to whom was referred the bill, to be entitled an act, to amend an act entitled an act to incorporate the Georgia Air Line Railroad Company, respectfully recommend that the bill do pass.

A. D. NUNNALLY, *Chairman.*

The Committee on Enrollment made the following report:

Mr. President: The Committee on Enrollment report as duly enrolled, and ready for the signatures of the President of the Senate and Speaker of the House of Representatives, the following resolution, to-wit:

A resolution asking the appointment of a special committee to examine the books of the late Treasurer and Comptroller General.

E. I. HIGBEE,

Chairman.

Mr. Merrill, from the Judiciary Committee, made the following report:

Mr. President: The Committee on the Judiciary, to whom was referred a bill to carry into effect article 1st, section 23d, of the Constitution of this State, and for other purposes, have had the same under consideration, and recommend the adoption of a substitute in lieu thereof.

Also, a bill to authorize Eugene C. Bower, a minor, to practice law, which they recommend do not pass.

Also, a bill to reduce the bonds of civil officers, and for other purposes, which they recommend do not pass.

Also, a bill to consolidate the offices of Tax Receiver and Tax Collector of Chatham county, which they recommend do not pass.

Also, a bill to make bills of indictment amendable, which they recommend do not pass.

Also, a bill to make legal any rate of interest agreed upon, which they report back without recommendation.

Also, a bill to authorize and require the Governor to declare all executive, judicial and ministerial offices of this State vacant where the persons elected cannot qualify and take their commissions on account of being disqualified under the 14th article of the Constitution of the United States, which they recommend do not pass.

Also, a bill to secure intelligent jurors, and to provide for paying the same, which they recommend do not pass.

Also, a bill to incorporate the Macon Street Railroad Company, and for other purposes, which they recommend do pass.

Also, a bill to prevent and punish duelling, which they recommend do not pass.

Also, a bill to repeal so much of the law as requires a Judge of the Superior Court to reside for twelve months in the judicial circuit for which he is elected, previous to the election, and to require the Superior Court Judges to alternate under the direction of the Supreme Court, which they recommend do not pass.

W. W. MERRILL,

Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have passed the following bills, to-wit:

A bill, to be entitled an act, to change the line between the counties of Clinch and Coffee.

Also, a bill, to be entitled an act, to change the line between the counties of Taylor and Macon.

Also, a bill, to be entitled an act, to create in the several counties in this State, a Board of Commissioners of Roads and Revenues.

Also, a bill, to be entitled an act, to provide for the election of Mayor and a Board of Aldermen for the city of Savannah.

Also, a bill, to be entitled an act, to amend so much of section 3174 of Irwin's Revised Code as relates to the county of Lowndes.

Also, a bill, to be entitled an act, to change the lines between the counties of Henry and Clayton.

Also, a bill, to be entitled an act, to change the lines between the counties of Greene, Hancock and Taliaferro.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have passed the following bill of the Senate, with an amendment, in which they ask their concurrence: —

A bill, to be entitled an act, to authorize the holding of the Superior Courts of the ensuing Fall term, and to provide juries therefor.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have passed the following bills, to-wit:

A bill, to be entitled an act, to provide for the election of Justices of the Peace and Constables.

Also, a bill, to be entitled an act, to amend the 2530th and 2531st sections of the Code of Georgia, for the benefit of helpless and dependent adult heirs.

On motion of Mr. Merrill, the rules were suspended, and the Senate took up the House bill organizing the city government of Augusta, for a second reading.

The bill was read the second time, and on motion of Mr. Holcombe, was made the special order for a third reading on Friday morning next.

The Senate took up the bill entitled an act to provide for the election of a Mayor and Board of Aldermen for the city of Savannah.

Mr. Lester moved, as a substitute, the House bill on same subject, with the following amendment in lieu of section 3d, to-wit:

That section 3d be so amended as to read as follows:

Be it further enacted, That the said election shall be held in the manner prescribed in section 4734 of Irwin's Code, except that the persons who shall preside at such election shall be Justices of the Peace, whose jurisdiction is within said city; and except, further, that instead of one box for the deposit of ballots, there shall be two boxes for the deposit of ballots, each to be in the court house in said city, and each to be under the supervision of three Justices of the Peace, and in case that number cannot be procured, then to be under the supervision of at least one Justice of the Peace, and two freeholders.

On motion of Mr. Harris, the bill was taken up by sections.

Mr. Campbell moved to amend section 1st by striking out "first Tuesday in December," and insert in lieu, "second Monday in October."

Mr. Lester then withdrew his amendment.

Mr. Lester then moved that the bill of the Senate, providing for the election of Mayor and Aldermen for the city of Savannah, be laid on the table for the present, which was agreed to.

On motion of Mr. Lester, the rules were suspended, and the Senate took up the House bill, entitled an act to provide for the election of Mayor and a Board of Aldermen for the city of Savannah, which was read the first time.

The rules were further suspended, and on motion of Mr. Wooten, the Senate took up the bill entitled an act to authorize the holding of Superior Courts at the Fall terms, and to provide juries therefor, and concurred in the following amendment of the House, to-wit: After the words "civil cases," in section 1st, to read, "and where juries have not been drawn as aforesaid, it shall be the duty of the Judge of the Superior Court, presiding at said court, to have grand and petit juries summoned instantler, composed of persons now qualified to serve as grand jurors, and all trials by said juries shall be legal."

On motion of Mr. Wooten, the Secretary was directed to transmit the action of the Senate forthwith to the House of Representatives.

On motion, the Senate resumed the unfinished business of yesterday, the same being a bill to amend the usury laws of this State, pending the discussion of which the Senate adjourned until four o'clock, P M.

FOUR O'CLOCK, P M.

The Senate met pursuant to adjournment, and was called to order by the President.

The following bill was taken up and read the second time, and referred to the Committee on Internal Improvement, to-wit:

A bill to be entitled an act to incorporate the Turtle River and Screven Railroad Company.

The rules were suspended and the following bill of the House of Representatives, was taken up and read the second time, and referred to the Committee of the Whole, to-wit:

A bill to be entitled an act to relieve the present Comptroller and Treasurer of certain liabilities.

The following bills were taken up and severally read the second time, and referred to the Committee on the Judiciary, to-wit:

A bill to amend the 2489th paragraph of the new Code of

Georgia, and to allow sureties on administrators' bonds to make returns in certain cases.

A bill to incorporate the Marshall Hose Company, of Savannah.

A bill to fix the compensation for taking down in writing, the evidence on charges of felony.

A bill to be entitled an act to incorporate the Bainbridge District, of the South Georgia Conference.

A bill to exempt certain persons from jury duty who are members of fire companies in the city of Albany.

A bill to be entitled an act to change the line between the counties of Randolph and Terrell, so as to include the residence and farm of James W. Bone, within the limits of Terrell county.

A bill to be entitled an act to alter and amend section 1st, article 3d, chapter 2d, title 3d and part 2d, of Irwin's Code of Georgia, relating to foreclosure of mortgages.

A bill to amend article 2d, chapter 3rd, title 2d, part 2d, of the Code of Georgia.

A bill to repeal section 3525th of Irwin's Revised Code of Georgia, in relation to judgment liens, and to adopt a section in lieu of said repealed section, and also to change section 2863d of said Code, to make it conform to this act.

A bill for the summary enforcement of section 30th, of the 1st article of the Constitution.

A bill to incorporate the Georgia and Alabama Life Insurance Association.

A bill to be entitled an act to authorize the Universal Life Insurance Company, to make investments in the State of Georgia.

The following bills were taken up and severally read the second time, and referred to the Committee of the Whole, to-wit:

A bill to be entitled an act to incorporate the Southern Life Insurance Company.

A bill to be entitled an act to authorize the sale of the real estate of the Fletcher Institute, and reinvest the proceeds of said sale.

A bill to be entitled an act to amend an act to incorporate the Dawson Manufacturing Company.

A bill to be entitled an act to levy and collect a tax on pistols and bowie knives.

A bill to be entitled an act to alter and amend the tenth article of the Constitution of this State.

A bill to change the time for holding elections for Governor, members of Congress, and members of the General

Assembly ; also to change the time for the meeting of the legislature.

A bill for the relief of Mrs. Margaret W. Crew, of the county of Marion.

A bill to be entitled an act to prescribe the time of holding elections for members of Congress in the year 1868, and thence afterwards.

The following bill was read the second time and referred to the Committee on New Counties and County Lines, to-wit :

A bill to be entitled an act to establish a new county from the counties of Troup, Meriwether, Coweta, and Heard, of this State, to be called Hogan county.

The following bill was read the second time and referred to the Committee on the Military, to-wit :

A bill for the protection of citizens of this State.

The following bill was read the second time, and made the special order for Friday morning, to-wit :

A bill to be entitled an act to reorganize the Municipal Government of the city of Augusta.

On motion, the Senate adjourned until to-morrow morning at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

WEDNESDAY, August 26th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Smith, Honorable Senator from the 7th District.

The Journal of the previous day was read and approved.

Mr. Higbee, from the Committee on Enrollment, submitted the following report, to-wit:

Mr. President: The Committee on Enrollment, report as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following joint resolution, to-wit :

A resolution authorizing his Excellency the Governor, to appoint three competent persons to examine the land books of Muscogee, Carroll, and Coweta, lately transcribed by Major H. J. G. Williams, and fix the value thereon.

E. I. HIGBEE,
Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives have passed the following bill, to-wit:

A bill to be entitled an act to alter and amend an act entitled "an act to incorporate Oglethorpe University at Midway, assented to December 21st, 1835."

The have also adopted the following resolution:

A resolution to encourage emigration, and to improve the unequalled natural advantages of the State.

Mr. Smith, of the 7th District, moved to suspend the rules for the purpose of taking up the bill of the House of Representatives, providing for the election of a Mayor and Board of Aldermen, for the city of Savannah.

Mr. Campbell, moved to amend by taking up the Senate bill; also, the same entitled an act to amend section 4734th of Irwin's Code, in reference to the time, place and manner of holding elections in the city of Savannah, and by whom the same shall be held, which was agreed to, and both bills were read the second time, and on motion of Mr. Smith, of the 7th District, were made the special order for to-morrow morning at 11 o'clock.

The Senate next took up the following resolution of the House of Representatives, to-wit:

A resolution to encourage emigration, and to improve the unequalled natural advantages of the State.

The resolution was read and concurred in with the following amendment, to-wit: On the seventh line strike out "government" and insert "country," in lieu.

On motion of Mr. Wooten, the Senate took up the bill of the House, "relieving the present Comptroller, and Treasurer of certain liabilities." The bill was read the third time and passed.

On motion the Secretary was directed to transmit the action of the Senate on the foregoing bill, forthwith to the House of Representatives.

The Senate resumed the unfinished business of yesterday, the same being a bill to alter and amend the usury laws of this State.

After debate, Mr. Bowers, moved the previous question, which being sustained, the main question was ordered to be put upon the passage of the bill, and upon the question "shall this bill now pass," the yeas and nays were demanded.

Those voting in the affirmative are, Messrs:

Adkins,	Brock,	Candler,
Anderson,	Burns,	Colman,

Fain,
Higbee,
Jones,
Merrill,

McCutchen,
Nunnally,
Smith, 36th Dist.,
Speer,

Welch,
Winn,
Wooten.

Those who voted in the negative are, Messrs :

Bowers,
Bruton,
Campbell,
Collier,
Corbitt,
Dickey,

Graham,
Griffin, 6th District,
Griffin, 21st Dist.,
Hinton,
Holcombe,
Lester,

McWhorter,
Richardson,
Sherman,
Smith, 7th District
Wallace,
Wellborn.

Yeas 17; nays 18. So the bill was lost.

On motion the rules were suspended, and Mr. Candler offered the following resolution, which was adopted, to-wit:

Resolved, That the Honorable Rufus E. Lester, be appointed on the Committee of the Judiciary, and State of the Republic.

On motion, the Senate then adjourned until four o'clock P M.

FOUR O'CLOCK, P M.

The Senate met pursuant to adjournment, and was called to order by the President.

The following bills were introduced, and severally read the first time, to-wit:

By Mr. Smith, of the 7th District, a bill to be entitled an act to provide for education, and to establish a general system of common schools.

Also, a bill to provide for the payment of teachers of common schools, for the year eighteen hundred and sixty-eight.

By Mr. Speer, a bill to change the names of William Bess and James Thomas Bess, of Pike county, to William Singleton, and James Thomas Singleton, and make them the lawful heirs of William W Singleton, lately deceased of Pike county Georgia.

By Mr. Sherman, a bill to be entitled an act, constituting the Governor of this State, the State School Commissioner the Attorney General, the President of the Senate, the Speaker of the House of Representatives, and the Chairman of Standing Committees on Education, in both branches of the General Assembly, a board to be denominated The Georgia State Board of Education.

Also, a bill to be entitled an act to establish the mode of elections, and election precincts.

By Mr. Smith, of the 7th District, a bill to be entitled an act to provide that in all cases of garnishment, the claims of the parties moving in said process, shall have priority.

By Mr. Holcombe, a bill to incorporate the Chattahoochee Manufacturing Company, and for other purposes.

Also, a bill to incorporate the Warsaw Mining company.

By Mr. Bowers, a bill for the relief of William F Attaway, as security.

Mr. Graham, moved that the Senate do now adjourn until to-morrow morning at ten o'clock, whereupon the yeas and nays were required to be recorded.

Those who voted in the affirmative are, Messrs:

Bruton,	Graham,	Sherman,
Burns,	Griffin, 21st Dist.,	Smith, 36th Dist.,
Campbell,	Harris,	Speer,
Candler,	Higbee,	Wallace,
Colman,	Hinton,	Welch,
Dickey,	Lester,	Wooten.
Fain,		

Those who voted in the negative are, Messrs :

Anderson,	Griffin, 6th District,	McWhorter,
Bowers,	Holcombe,	Smith, 7th Dist.
Brock,	McCutchen,	Winn.
Corbitt,		

Yeas 19 ; nays 10. So the Senate adjourned until to-morrow morning at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Thursday, August 27th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Trawick.

The roll was called, and the Journal of the previous day read and approved.

Mr. Higbee, chairman of the Committee on Enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives, and now ready for the signature of the President of the Senate, the following act, to-wit :

An act to relieve the present Comptroller and Treasurer of certain liabilities.

Also, a resolution to encourage emigration and to improve the unequalled advantages of the State.

The Committee on Enrollment made the following report.

Mr. President: The Committee on Enrollment report as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following bill, to-wit :

A bill to be entitled an act to authorize the holding of the Superior Courts at the ensuing fall terms, and to provide juries therefor.

E. I. HIGBEE,
Chairman.

The following message was received from his Excellency the Governor by Mr. deGraffenried, his Secretary, to-wit :

Mr. President: The Governor has signed the following joint resolution, to-wit :

A resolution asking the appointment of a special committee to examine the books of the late Treasurer and Comptroller General.

Mr. Wooten, in accordance with previous notice, moved to reconsider so much of the journal of yesterday as relates to the action of the Senate on the bill entitled an act to alter and amend the usury laws of this State. After debate, the Senate took up the special order for 11 o'clock. A. M., the same being the bill of the House of Representatives entitled an act to provide for the election of Mayor and a Board of Aldermen for the city of Savannah. The bill was taken up and read the third time.

Mr. Smith, of the 7th District, moved the adoption of the same, with the amendment of Mr. Lester, as follows, to-wit

That section third be so amended as to read as follows
"Be it further enacted that the said election shall be held in the manner prescribed in section 4734 of Irwin's Code, except that the persons who shall preside at such election shall be Justices of the Peace, whose jurisdiction is within said city, and instead of one box for the deposit of ballots, there shall be two boxes for the deposit of ballots, each to be in the Court House of said city, and each to be under the supervision of three Justices of the Peace, and in case that number cannot be procured, then to be under the supervision of at least one Justice of the Peace and two freeholders."

Mr. Brock proposed to amend the amendment of Mr. Lester by striking out the words, "two ballot boxes," and to insert in lieu thereof, the words, "three ballot boxes."

After debate, Mr. Holcombe moved the previous question which being sustained, the main question was next ordered upon the amendment of Mr. Brock; which was agreed to.

The question was then ordered to be put upon the amend-

ment of Mr. Lester, as amended by Mr. Brock, and the amendment as amended was agreed to.

The question recurring upon the passage of the bill as amended, the bill as amended was read the third time, and upon the question, "shall this bill as amended now pass?" the yeas and nays were demanded.

Those who voted in the affirmative are, Messrs :

Anderson,	Harris,	Moore,
Brock,	Hicks,	Nunnally,
Bruton,	Hinton,	Richardson,
Burns,	Holcombe,	Smith, 7th Dist.,
Candler,	Hungerford,	Smith, 36th Dist.,
Collier,	Jordan,	Speer,
Corbitt,	Lester,	Wallace,
Fain,	Merrill,	Wellborn,
Graham,	McArthur,	Welch,
Griffin, 6th Dist.,	McCutchen,	Winn,
Griffin, 21st Dist.,	McWhorter,	Wooten.

Those who voted in the negative are, Messrs :

Adkins,	Colman,	Sherman,
Bowers,	Dickey,	
Campbell,	Higbee,	

Yeas 33; nays 7. So the bill, as amended, was passed.

Mr. Burns moved that the bill as amended and passed be transmitted forthwith to the House of Representatives.

After debate, Mr. Smith, of the 7th District, moved the previous question: which being sustained, the main question was ordered upon the motion of Mr. Burns. Whereupon the yeas and nays were required to be recorded.

Those who voted in the affirmative are, Messrs :

Anderson,	Hinton,	Richardson,
Brock,	Holcombe,	Smith, 7th Dist.,
Bruton,	Hungerford,	Smith, 36th Dist.,
Burns,	Jordan,	Speer,
Candler,	Lester,	Wallace,
Collier,	Merrill,	Wellborn,
Corbitt,	McArthur,	Welch,
Fain,	McCutchen,	Winn,
Griffin, 6th Dist.,	McWhorter,	Wooten.
Griffin, 21st Dist.,	Moore,	
Hicks,	Nunnally,	

Those who voted in the negative are, Messrs :

Adkins,	Colman,	Sherman.
Bowers,	Harris,	
Campbell,	Higbee,	

Yeas 31 ; nays 7. So the bill as amended and passed was ordered to be transmitted forthwith to the House of Representatives.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President : The House of Representatives have passed the following bill, to-wit :

A bill to be entitled an act to consolidate and amend the several acts incorporating the town of Lumpkin, county of Stewart, and to grant certain privileges to the same.

The Senate resumed the consideration of the motion to reconsider the bill entitled an act to alter and amend the usury laws of this State.

After debate, the Senate adjourned until four o'clock, P M.

FOUR O'CLOCK, P M.

The Senate met pursuant to adjournment and was called to order by the President.

The following bills were taken up and severally read the second time, and referred to the Committee of the Whole, to-wit :

A bill to relieve Samuel W Gardner, of the State of Mississippi.

A bill for the relief of the Bank officers.

A bill to secure efficiency in the records of Ordinaries and other officers of this State.

A bill to incorporate the People's Mutual Life Insurance Company of Georgia.

The following bills were taken up and severally read the second time and referred to the Judiciary Committee, to-wit :

A bill to amend the charter of the city of Albany.

A bill to define the duties and liabilities of foreign insurance companies and their agents, doing business in this State.

A bill to be entitled an act more effectually to declare the intent and meaning of mechanic and other liens, and to carry into effect the third section of the 1st article of the Constitution.

A bill to be entitled an act to authorize executors and administrators, residents of any other State of the United States, to sell and convey real estate of their testators or intestates, recovered by suits at law in this State by said executors or administrators, under the same rules and regu-

lations as are now prescribed for executors and administrators residents of this State.

A bill to be entitled an act to require plaintiffs in, and owners of, judgments or decrees rendered in any of the courts of this State to be enforced out of the county where rendered, against property which has passed through the possession of the defendants, to be recorded in the county in which they are to be enforced, and for other purposes.

A bill to be entitled an act to alter and amend the 4330th section of Irwin's Code, changing penalty of horse stealing from death to penitentiary offence.

A bill entitled an act to alter and amend the 4322d section of Irwin's Code, changing penalty of burglary in the night from death to penitentiary offence.

On motion the rules were suspended and the following bills introduced and severally read the first time, to-wit :

By Mr. Nunnally, a bill to be entitled an act to alter and amend section 2519 of the Revised Code of Georgia, in reference to the sale of lands by executors and administrators.

Also, a bill to be entitled an act to incorporate the Spalding County Mutual Life Assurance Society of Georgia.

By Mr. Adkins, a bill to be entitled an act to make more equal the Judicial Circuits of this State.

The following bill was taken up and read the second time and referred to the Committee on Education, to-wit :

A bill to organize a common school system and to establish a fund for the same.

The following bill was read the second time and referred to the Committee of the Whole, as the special order for Monday next, at 11 o'clock, A. M., to-wit :

A bill to be entitled an act to establish the City Court of Atlanta.

The following bill was read the second time and referred to the Committee on Agriculture and Manufactures, to-wit :

A bill to be entitled an act to incorporate the Schofield Rolling Mill Company.

The following bills were taken up and severally read the second time and referred to the Committee on Internal Improvements, to-wit :

A bill to be entitled an act to incorporate the Georgia Steam Navigation Company, for the transportation of passengers and freight from Bellville to Darien, Brunswick and Savannah, and all other points, and to invest said Company with the powers of insurance.

A bill to be entitled an act to increase the capital and

define the powers of the Georgia Rail Road and Banking Company.

A bill to be entitled an act to authorize the Georgia Rail Road and Banking Company to extend their road, upon certain conditions, from Athens, Georgia, to the town of Clayton, in Rabun county, and to authorize the Governor to subscribe a certain amount of stock to said Georgia Rail Road and Banking Company, upon certain conditions and limitations therein named.

On motion of Mr. Speer, the Senate then adjourned until to-morrow morning at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Friday, August 28th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President. Prayer by the Rev. Mr. Smith, Honorable Senator from the 7th District.

The roll was called and the Journal of the previous day read and approved.

On motion, leave of absence was granted to Senators Adkins, Campbell, Dickey, Fain, and McCutchen, for a few days.

On motion, the rules were suspended, and Mr. Lester introduced the following resolution, which was read and referred to the Judiciary Committee, to-wit :

Whereas, By an act of the General Assembly, entitled an act to incorporate a bank in the city of Savannah, to be called the Bank of Savannah, approved February 13, 1850, it was enacted that Solomon Cohen, Lewis F Harris, Allen A. Denslow, Isaac W Morrell, Hiram Roberts, Asa Holt, W W Starke and Henry Lathrop, and their associates and successors, should be, and they were thereby incorporated and made a body politic, by the name and style of the Bank of Savannah, to be located at Savannah, in the county of Chatham, and to continue until the first day of February, 1870, with banking and other privileges in said act mentioned ; and whereas, the said Bank of Savannah has ceased to exercise its chartered rights and privileges in said act created, and has placed its assets into the hands of assignees to be distributed as the law directs, and the Superior Court of Chatham county having taken jurisdiction over the mat-

ter of distribution ; and whereas, the said Bank of Savannah have tendered the surrender of all its chartered rights and privileges granted it by the act incorporating it ; be it therefore

Resolved, by the Senate and House of Representatives of the State of Georgia in General Assembly met, That his Excellency, the Governor of Georgia, be and he is hereby authorized to accept the surrender of the charter of the Bank of Savannah, and all its chartered rights and privileges under the said act of incorporation.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have adopted the following resolution, to-wit:

A resolution authorizing the State Treasurer to pay committee clerks such amounts, respectively, as the chairmen of the committees may severally recommend, subject to endorsement by the Committee on Finance.

On motion, the rules were further suspended, and Mr. Welch introduced the following resolution, to-wit:

Resolved, by the Senate and House of Representatives of the State of Georgia, That his Excellency the Governor be requested to purchase four copies of Hines' Legal Form Book for each county of this State, for the use of the Justices of the Peace, Ordinary and Sheriffs thereof, at a price not exceeding the usual retail price of two dollars and fifty cents, and that he cause the same to be distributed with the Journal and other documents, and that the same be paid for out of any money not otherwise appropriated.

Mr. Burns moved that the resolution be referred to a special committee of three, which was agreed to.

The Chair announced as such committee, Messrs. Welch, Wooten and Burns.

The Senate then took up the special order of the day, the same being a bill, to be entitled an act, to reorganize the municipal government of the city of Augusta; pending the consideration of which,

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit:

Mr. President: I am directed by the Governor to deliver to the Senate a sealed communication, which he respectfully asks to have considered in Executive session.

On motion of Mr. Speer, the special order of the day was laid upon the table for the present, and the Senate went into Executive session.

After remaining some time therein, the doors were thrown

open, and it transpired that the Senate had confirmed the following appointments of his Excellency the Governor, to-wit:

The Honorable Noel B. Knight, of the county of Cobb, to be Judge of the Blue Ridge Circuit, for the term of eight years from the 21st day of July, 1868.

The Honorable Henry P. Farrow, of the county of Fulton, to be Attorney General, for the term of four years from the 21st day of July, 1868.

On motion, leave of absence was granted Senator Bruton, for a few days after Monday.

On motion of Mr. Hungerford, the rules were suspended, and Mr. McWhorter introduced the following resolution, to-wit:

Whereas, Intelligence of the death of the Honorable J. B. Moon, Representative from the county of Madison, has been communicated to the Senate; and whereas, it becomes us as individuals, and as members of this branch of the General Assembly, to bow submissively to the will of that Providence which has so inscrutably deprived us of his society and assistance, and which has deprived his constituents of a worthy representative, and removed from the bosom of his family a beloved husband and father; be it therefore

Resolved, That the Senate as a body deplore the death of the Hon. J. B. Moon, Representative from the county of Madison, and cheerfully record our appreciation of his modest worth, his high integrity, and sterling virtues as a man and a citizen.

Resolved, That we tender to the stricken widow, and the bereaved children of the deceased, our sincerest condolence.

Resolved, That the Secretary of the Senate transmit to the family of the deceased, a copy of the foregoing preamble and resolutions.

Resolved, That the Senate do now adjourn until to-morrow morning at ten o'clock, in honor of the memory of the deceased.

Mr. Hungerford moved to amend by inserting "Monday morning," at ten o'clock, instead of "to-morrow," which was agreed to, and the resolution, as amended, was adopted.

The President then announced the Senate adjourned until Monday morning at ten o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

Monday, August 31st, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Hinton, Honorable Senator from the 24th District.

The roll was called and the Journal of Friday, was read and approved.

On motion, leave of absence was granted to Senator Richardson, for a few days.

On motion of Mr. Holcombe, the regular order of business was suspended and the Senate took up the bill of the House, to reorganize the municipal government of the city of Augusta, Mr. Winn, in the Chair.

Mr. Conley, offered the following as a substitute, (after the enacting clause,) to-wit:

A BILL

To be entitled an act to reorganize the Municipal Government of the city of Augusta.

SECTION 1. *The General Assembly of Georgia, do enact,* That immediately after the passage of this act, the Ordinary, the Clerk of the Superior Court, and the Sheriff, and such other persons as they may appoint for that purpose, shall open books or lists of registration, at the City Hall in Augusta, for the registration of the voters in said city, under the Constitution and laws of this State, and the ordinances of the city in conformity thereto, which books or lists shall be kept open for twenty (20) days after due notice given in each of the city papers, and then finally and absolutely closed.

SEC. 2. That the Ordinary, Clerk and Sheriff, or other person or persons by them appointed, upon the application in person, to him or them, of any person entitled to vote under the Constitution and laws of this State, and ordinances of the city in conformity thereto, within the time prescribed for the books or lists to be kept open, shall register the name of such person, and if required, deliver to him a certificate of such registry expressing his name, number, and the date of registry.

SEC. 3. That such Ordinary, Clerk and Sheriff, or other person or persons so appointed to register, shall be authorized to require of any applicant for registration, to make affidavit before him or them, that such applicant is entitled to vote, according to the Constitution and laws of this State.

SEC. 4. That it shall be the duty of said Ordinary, Clerk and Sheriff, or other person or persons appointed by them, each day to furnish to the official city paper, for publication, a list of the persons registered by him or them, and furnish to the managers of the election to be held thereafter, a full and complete list of all names registered by him or them.

SEC. 5. That when any vote is challenged, the managers of said election shall administer the following oath: "You do solemnly swear (or affirm) that you have been duly registered as a voter in this city for this election, that you are a citizen of the United States, that you are twenty-one (21) years of age, and that you have resided in this State for the past six months, and in this city for the past three months, and that for all said time you have considered this State your permanent home, that you have paid all taxes and made all returns required by the ordinances of this city, that you have had it in your power to do, and that you have not voted before at this election, so help you God." Upon the taking of which oath and the name given appearing upon the list of registered voters, such person shall be entitled to vote without let or hindrance.

SEC. 6. That said Ordinary, Clerk or Sheriff, or person or persons by them appointed, shall make separate books or lists for the registration of the white and colored voters in said city.

SEC. 7 Within ten (10) days after said books or lists of registration are finally closed, it shall be the duty of the Ordinary, Clerk and Sheriff, to appoint twelve discreet and proper persons in the city to hold an election at the City Hall, where shall be provided two boxes, one for the white, and one for the colored voters, and which election shall be continued a second day if the Ordinary, Clerk and Sheriff, or a majority of the same shall so determine, for a Mayor and Members of Council and the person receiving a plurality of the votes cast for mayor, shall be duly elected mayor of the city for and during the time preceding the second Monday in April, 1871, when another election shall be held and biennially thereafter, in accordance with the requirements of this law, and the laws, ordinances and usages of the city heretofore and hereafter made, and the persons receiving a like vote shall be declared duly elected councilmen for the same time and biennially thereafter.

SEC. 8. The twelve persons so appointed to hold said election, shall each subscribe an oath to fairly and impartially hold said election in accordance to this law, the said oath to be administered by any magistrate or other officer in this

city having power to administer an oath, and six of them shall be designated as managers to receive, poll and count the colored voters of said city, and six the white voters, and after said votes are counted they shall be consolidated and the returns of the election made, with the list of persons voting and ballots cast, to the Clerk of Council, who shall immediately notify the Mayor and Council thereof, together with the persons elected, and the Mayor and Council shall proceed as heretofore to install said persons into their respective offices, and turn over the city government to said persons so elected.

SEC. 9. That at said election no other person or persons than said managers, necessary clerks, the Sheriff and his deputy and police force, to be subject to the orders of said Sheriff, to preserve order, shall be allowed to be present around and at the boxes, without permission of said managers, excepting such voters in such numbers as may by them be designated, who shall leave immediately after voting ; and any person or persons attempting to remain, or disturbing said managers, or creating any disturbance at said election, after being requested to desist, shall by said managers be ordered to jail and there remain until said election is over.

SEC. 10. Said Ordinary, Clerk of the Superior Court and Sheriff are hereby constituted and created a Board of Commissioners for the purposes herein set forth, and a majority of said Board shall decide all orders and questions, whether of appointments or of orders, as herein provided for. The Mayor and Council elected shall provide for the payment from the city treasury of the expenses of registration and election. And upon the installation of the Mayor and Council so elected, the powers herein delegated to said Ordinary, Clerk and Sheriff shall cease.

SEC. 11. All laws of this State in relation to said election, and also all the ordinances not in anywise conflicting herewith, are hereby declared of force and applicable to said election as fully as though here enacted.

SEC. 12. All laws in conflict herewith are hereby repealed.

Mr. Holcombe offered the following as a substitute for the original, and the substitute as offered by Mr. Conley, (after the enacting clause) to-wit

A BILL

To be entitled an act to re-organize the municipal government of the city of Augusta.

Whereas the present Mayor and City Council of Augusta

were appointed by military authority, which authority has ceased to exist—

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That an election for Mayor and Members of Council of said city be held on Wednesday, the second day of December next, in the manner established by the laws of this State and the ordinances of said city of force on the first day of April, eighteen hundred and sixty-six, and not hereby modified or repealed.

SEC. 2. The officers so elected shall hold their offices for one year from the date of their election and until their successors are elected and qualified.

SEC. 3. A registry of voters shall be opened at the City Hall in said city, on the fifth day of October next, and continue open until two o'clock, P. M., of Wednesday the twenty-fifth day of November next, from nine o'clock, A. M., until two o'clock, P. M., of each day, except Sunday, under the supervision of John C. Snead, Judge of the city Court of said city, William R. McLaws, late Judge of the County Court of Richmond county, Ellery W. Brayton, Clerk of the Superior Court of said county, William Doyle, Deputy Sheriff of said county, and Robert A. Harper; any two or more of whom may act, and shall require each and every person applying for registry to take the oath provided by this act for voters in said city, except so much thereof as relates to registering the certificate of registry and voting.

SEC. 4. The Commissioners of registry above named, or such of them as may act, shall appoint the superintendents of the election in the several wards and give public notice of their appointments, ten days before the election, in all the public gazettes of the city.

SEC. 5. At said election, the polls in each ward shall be opened at eight o'clock, A. M., and close at five o'clock, P. M., and each voter shall, on voting, present his certificate of registry, which shall be received by the managers and sealed up in the office of the Clerk of Council.

SEC. 6. In the event of the loss or destruction of any certificate of registry, upon personal application by the party to whom the same was issued, accompanied by his affidavit of such loss or destruction subscribed by him, the said Commissioners shall issue to such person a duplicate certificate, which shall serve in lieu of the certificate lost or destroyed. *Provided*, that no duplicate certificate shall be issued after two o'clock, P. M., of Saturday, the twenty-eighth day of November next.

SEC. 7 The Commissioners of Registry shall receive from the City Council a fair compensation for the services rendered by them respectively.

SEC. 8. All other elections in said city for Mayor and Members of Council shall be held annually on the first Wednesday in December, except as herein modified, under existing laws. *Provided*, That after the present year the list for the registration of voters shall be opened on the first Monday in September in each year, and be kept open until two o'clock, P. M., of the fourth Wednesday in November. *And provided further*, that no duplicate certificate shall be issued by the person or persons who may be appointed to register, later than two o'clock, P. M., of Saturday immediately preceding the election, nor until the applicant has complied with all the provisions of the sixth section of this act.

SEC. 9. At all elections for Mayor and members of Council held in said city, after the passage of this act, the managers shall administer the following oath to any person attempting to vote, upon his being challenged or in case either of them have doubts as to his right to vote. "You do solemnly swear that you are a citizen of the United States; that you are twenty-one years of age; that you have resided in this State for the last twelve months, in this city for the last six months, and in this district and ward for the last ten days; that you have considered this State your home for the last twelve months; that you have paid all taxes and made all returns required by the ordinances of this city that have been in your power to pay or make, according to said ordinances; that you have been duly registered within the time prescribed by law; that the certificate of registry you now offer was delivered to you in person by the registry Clerk or Commissioners, and that you have not voted this day, so help you God."

SEC. 10. Nothing in this act shall be so construed as to exclude any person from registering or voting on account of race or color

SEC. 11. So much of an act in relation to the City Council of Augusta, approved February 28th, 1866, as authorizes the said City Council "to provide the mode, manner and time of election of Mayor and members of the City Council," and all laws and parts of laws militating against this act be, and the same are hereby repealed.

Mr. Harris moved that fifty copies of the original bill and the proposed substitutes be printed and made the special

order for Wednesday morning at 11 o'clock ; which was agreed to.

The following message was received from the House of Representatives through Mr. Hardin, their Clerk :

Mr. President : The House of Representatives have concurred in the Senate's amendments to the following bill of the House of Representatives, to-wit :

A bill to be entitled an act to provide for the election of Mayor and a Board of Aldermen for the city of Savannah.

Mr. Higbee, from the Committee on Enrollment, submitted the following report :

Mr. President : The Committee on Enrollment report as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following act, to-wit :

An act to provide for the election of Mayor and Board of Aldermen of the city of Savannah.

E. I. HIGBEE,

Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk :

Mr. President : The House of Representatives have adopted the following resolution, to-wit :

A resolution authorizing the Clerk of the House of Representatives and Secretary of the Senate to draw five hundred dollars from the State treasury to defray contingent expenses.

Mr. Merrill, from the Committee on the Judiciary, made the following report :

Mr. President : The Judiciary Committee, to whom was referred a bill to define the duties and liabilities of foreign insurance companies and their agents, doing business in this State, have had the same under consideration, and recommend that the same do pass.

Also, a bill to amend the 2489th paragraph of the new Code of Georgia, and to allow sureties on administrators' bonds to make returns in certain cases, which they recommend do pass.

Also, to incorporate the Marshall Hose Company, of Savannah, which they recommend do not pass.

Also a bill to amend article 2d, chapter 3d, title 2d, part 2d of the Code, which they recommend do not pass.

Also, a bill to incorporate the Bainbridge District of the South Georgia Conference, which they recommend do not pass.

Also, a bill to fix the compensation for taking down in writing the evidence on charges of felony, which they propose to amend by striking out in the first section after the word "before," in the third line, the words "courts of inquiry and," and, with this amendment, they recommend the same do pass.

W W MERRILL,
Chairman.

The Senate then took up the special order of the day, the same being the bill reorganizing the City Court of Atlanta.

The report of the committee to whom this bill was referred was agreed to, and the bill was read the third time and passed.

Mr. McWhorter, from the Military Committee, submitted the following report :

Mr. President : The Military Committee, to whom was referred a bill for the protection of the citizens of this State, have had the same under consideration, and recommend that it do not pass.

J H. McWHORTER,
Chairman.

On motion, the rules were suspended and the Senate took up and concurred in the following resolutions of the House of Representatives, to-wit :

A resolution authorizing the State Treasurer to pay committee clerks in accordance with certain regulations.

Also, a resolution authorizing the Clerk of the House of Representatives and Secretary of the Senate to draw five hundred dollars from the State treasury to defray contingent expenses.

Mr. Merrill, from the Committee on the Judiciary, made the following report :

Mr President : The Committee on the Judiciary, to whom was referred a bill to provide for setting apart a homestead of realty, etc., have had the same under consideration, and propose to amend the second section by striking out all after the words "shall make" to the words "shall apply," and insert the following : "application in writing to the Ordinary of the county of his residence, setting forth a schedule of all his personal property, particularly describing the same, including money and debts owing to said applicant, with a statement of the value of each article, designating those which he claims as exempt from levy and sale, which schedule shall be sworn to by the applicant or verified by other proof."

Also, to amend the 6th section, by inserting after the word "desire," in the 1st line, the words "to object to said schedule for want of sufficiency and fullness, or for fraud of any kind or."

Also, to add the following proviso at the end of the 6th section: "*Provided*, that either party dissatisfied with the judgment shall have the right to appeal, under the same rules, regulations and restrictions as are provided by law in cases of appeal from the Court of Ordinary "

Also, to fill the blank date in the 14th section by adding the words, "first of March."

Also, to amend the same section by striking out the words "without regard to the time when said contracts were made or obligations assumed," and, with these amendments, they recommend that the same do pass.

W W MERRILL,
Chairman.

On motion of Mr. Merrill, the bill to provide for setting apart a homestead was taken up, and made the special order for Monday morning next, at eleven o'clock.

Mr. Holcombe offered the following resolution, to-wit:

Resolved, That after to-day, the Senate will meet at nine o'clock in the morning, and adjourn at two o'clock in the evening.

Mr. Smith, of the 36th District, offered the following as a substitute, to-wit:

Resolved, That from this date, the Senate meet at nine o'clock, A. M., and adjourn at half-past one, P. M.; and in lieu of evening sessions, that from twelve, M., to half-past one, P. M., be devoted to reading of bills first and second times.

Mr. Moore offered the following as a substitute for the original and the substitute, to-wit:

Resolved, That the Senate shall meet hereafter at the hour of nine o'clock, A. M., and adjourn at half-past one o'clock, P. M., of each day.

The question was ordered upon the substitute of Mr. Moore, and the same was agreed to, and the resolution, as amended, was adopted.

Mr. Higbee offered the following resolution, which was laid on the table, to-wit:

Resolved, That no bill of a private nature shall hereafter be considered by the Senate, until a printed copy of such bill shall be laid upon the desk of each Senator, unless two-thirds of the Senators present otherwise direct.

Mr. Winn offered the following resolution, which was adopted, to-wit :

Whereas, Mrs. Chas. G. Williams and Miss M. J. Green have heretofore been appointed trustees for the Memorial Burying Ground at Marietta, Georgia, and in pursuance of their duties have often to travel over the State Road; therefore, be it

Resolved, by the Senate and House of Representatives in General Assembly met, That said trustees shall have a free pass over the State Road during their term of office as such trustees, and that his Excellency the Governor cause the Superintendent to forward the same to them; and that the officers of all other roads, over which they pass in discharge of their official duties, be requested to allow them to travel on such railroads free of charge.

On motion, the Secretary was directed to transmit the above resolution forthwith to the House of Representatives.

Mr. McArthur offered the following resolution, to-wit :

Resolved, That the Secretary of the Senate be required to inform his Excellency the Governor, that Rufus E. Lester has been seated as Senator from the 1st Senatorial District, and that no vacancy as to the office of Senator from that District exists.

Mr. Candler offered the following as a substitute, which was adopted, to-wit :

Resolved, That the Secretary of the Senate be directed to furnish his Excellency, the Governor, with a complete copy of the proceedings and action of the Senate as to the eligibility of Aaron A. Bradley, as Senator from the 1st Senatorial District, and the seating of Hon. Rufus E. Lester, legally elected and qualified from said District.

Mr. McArthur offered the following resolution, which was adopted, to-wit :

Whereas the documents and records of the State of Georgia at Milledgeville are not properly taken care of, being scattered promiscuously through the various rooms of the capital and are liable to be lost and destroyed—

Therefore be it resolved, That the Superintendent of Public Works be directed to have them assorted and arranged so as to insure their safety.

Mr. McArthur also offered the following resolution, which was adopted, to-wit :

Resolved, That the Superintendent of Public Works be required to submit to the Senate a report of the amount of money expended upon the public buildings under his direction. and that he also submit estimates of the amount of ap-

propriation rendered necessary by the present change of the seat of government.

Mr. Moore offered the following resolution, to-wit :

Whereas, It being the practice of a portion of the citizens of this State to assemble in large numbers, with arms, for the purpose of exercising in military tactics and for other unlawful purposes, without authority of law and to the terror of the good citizens thereof—

Resolved, Therefore, by the Senate and House of Representatives that his Excellency the Governor be and he is hereby respectfully requested to issue his proclamation prohibiting such armed and unlawful assemblages.

After debate, Mr. Brock moved to lay the resolution on the table ; whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adkins,	Griffin, 6th Dist.,	Sherman,
Bowers,	Hicks,	Speer,
Brock,	Higbee,	Wallace,
Colman,	Jones,	Welch.
Corbitt,	Merrell,	

Those voting in the negative, are Messrs :

Burns,	Hinton,	Nunnally,
Candler,	Holcombe,	Smith, 36th Dist.,
Collier,	Jordan,	Wellborn,
Fain,	Lester,	Winn.
Graham,	McArthur,	
Griffin, 21st Dist.	Moore,	

Yeas 14 ; nays 16. So the motion to lay on the table did not prevail.

Mr. Adkins offered the following as a substitute, to-wit :

Whereas, Information has reached us that certain parties are congregating and going over the country armed, to the terror of good citizens, proceeding to search for arms and munitions, and perpetrating acts of positive violence upon the unarmed peaceable citizens ; therefore—

Resolved, That the Senate and House of Representatives, in session assembled, hereby request his Excellency the Governor to issue his proclamation forbidding such violent and unlawful assemblages under pain of condign punishment.

Mr. Speer offered the following as an amendment to the original, to-wit :

But the right of the people to peaceably assemble for the consideration of any matter shall not be impaired by any proclamation of the Governor.

Mr. Moore moved the previous question, which being sustained, the main question was ordered upon the substitute of Mr. Adkins, which was not agreed to.

The question was next, put upon the amendment of Mr. Speer, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adkins,	Griffin, 21st Dist.,	McWhorter,
Bowers,	Harris,	Moore,
Brock,	Higbee,	Nunnally,
Burns,	Hinton,	Sherman,
Candler,	Holcombe,	Smith, 7th Dist.,
Colman,	Hungerford,	Smith, 36th Dist.,
Collier,	Jones,	Speer,
Corbitt,	Jordan,	Wallace,
Fain,	Lester,	Wellborn,
Graham,	Merrill,	Winn.
Griffin, 6th Dist.,	McArthur,	

Yeas 32; nays 0. So the amendment of Mr. Speer was agreed to.

The question recurred upon the adoption of the resolution as amended, and the resolution as amended, was adopted.

The hour of one o'clock having arrived, the President announced the Senate adjourned until four o'clock, P. M.

FOUR O'CLOCK, P. M.

The Senate met pursuant to adjournment, and was called to order by the President.

The following bills of the House of Representatives were taken up and severally read the first time, to-wit :

A bill to create in the several counties of this State, a Board of Commissioners of Roads and Revenue.

A bill to alter and amend an act entitled an act to incorporate Oglethorpe University at Midway, assented to December 21st, 1835.

A bill to change the lines between the counties of Greene, Hancock and Taliaferro.

A bill to change the line between the counties of Henry and Clayton.

A bill to amend 3174, of Irwin's Code, as relates to the county of Lowndes.

A bill to change the line between the counties of Taylor and Macon.

A bill to change the line between the counties of Clinch and Coffee.

A bill to exempt maimed men of this State from paying poll tax.

A bill to grant certain rights and privileges to the Metropolitan Steam Fire Engine Company in the City of Savannah.

A bill to deprive the Mayor and Marshal of the Town of Valdosta, of Lowndes county, of any and all fees, and to fix their salaries.

A bill to incorporate the Georgia Mutual Life Insurance Company.

A bill to authorize Thomas K. McDonald, the present Clerk elect, of the Superior Court of Whitfield county, to practice law, in counties other than Whitfield.

A bill to consolidate and amend the several acts incorporating the town of Lumpkin, County of Stewart, and to grant certain privileges to the same.

A bill to relieve Wm. S. Moughon, of the county of Bibb, from double tax on his Dougherty plantation, for the year 1867.

A bill to incorporate Cedar Town.

A bill to incorporate the Brunswick Street Railroad Company.

A bill to incorporate the town of Trion, in the county of Chatooga.

A bill to incorporate the Citizens' Bank, at Dalton, Georgia, and to define the privileges of said incorporation.

A bill to change the law of evidence.

A bill to consolidate the offices of Tax Returns and Tax Collector, for the county of Charlton.

A bill to amend an act, entitled An Act to incorporate the Georgia Air Line Railroad Company, and to confer on them certain powers and privileges therein mentioned. Approved March 5th, 1856, and the acts amendatory thereto.

A bill to prohibit the sale of spirituous liquor on days of election.

A bill to incorporate the town of Colquitt.

A bill to provide for the election of Justices of the Peace, and Constables.

A bill to amend 2530 and 2531st section of the Code of Georgia, for the benefit of helpless and dependent adult heirs.

The following bills were introduced and severally read the first time, to-wit:

By Mr. Higbee, a bill making change in tax digests.

By Mr. Jordan, a bill to make every citizen of Georgia, incapable of contracting as endorser, or as security, except,

upon the bonds of public officers, guardians, administrators, and other trustees, and upon injunction bonds, forthcoming bonds, to dissolve garnishment, attachment bonds required by law or in judicial proceedings.

By Mr. Campbell, a bill to amend the charter of Darien.

By Mr. McWhorter, a bill to incorporate the White Manufacturing Company, of Elbert county.

By Mr. Graham, a bill to reduce the bonds of the Sheriffs of Appling and Wayne counties.

By Mr. Lester, a bill to amend the charter of the Savannah, Skidaway and Seaboard Railroad Company, and for other purposes.

Also, a bill to authorize the Courts to render judgment in all civil cases, founded on contract at the first term, unless an issuable defense is made on oath.

By Mr. Smith, of the 7th District, a bill to amend and change the several acts incorporating the town of Thomasville.

By Mr. Speer, a bill to provide jurors for special called terms of the Superior Court of the counties of this State, for the trial of criminal cases.

The following bills were taken up and severally read the second time, and committed, to-wit:

A bill to incorporate the Van Dyke Hydraulic Hose Gold Mining Company.

A bill to incorporate the Etowah Manufacturing and Mining Company, and to confer certain powers and privileges.

A bill to prescribe the mode of appointing notaries public, and to render valid their acts.

A bill to amend section 4374th of Irwin's Code.

A bill to provide for the making of jury lists, and to regulate the drawing of jurors.

A bill to alter and amend the 1029th section of the Code, so as to allow the State Printer, to enter immediately upon his duties.

On motion, the Senate adjourned until to-morrow morning at 9 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

TUESDAY, September 1, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Bowers, Honorable Senator from the 31st District.

The roll was called, and the Journal of the previous day read and approved.

The Senate took up the unfinished business, the same being the motion to reconsider the bill to alter and amend the usury laws of this State.

After debate, Mr. Adkins called the previous question, which being sustained, the main question was ordered upon the motion to reconsider. Whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adkins,	Hicks,	Smith, 36th Dist.,
Anderson,	Higbee,	Speer,
Brock,	Lester,	Stringer,
Burns,	Merrill,	Welch,
Candler,	McArthur,	Winn,
Colman,	Moore,	Wooten.
Fain,	Nunnally,	

Those voting in the negative, are Messrs :

Bowers,	Griffin, 21st District,	McWhorter,
Collier,	Harris,	Sherman,
Corbitt,	Hinton,	Smith, 7th District,
Graham,	Holcombe,	Wallace,
Griffin, 6th District,	Hungerford,	Wellborn.

Yeas, 20; nays, 15. So the motion to reconsider prevailed.

After debate, Mr. Candler moved to take up the bill, which was agreed to.

Mr. Merrill offered the following as an amendment, to come in at the close of the first section, to-wit: "And provided, further, that the rate of interest agreed upon shall not exceed twelve and one-half per cent. per annum."

Mr. Smith, of the 7th District, proposed to amend by inserting, in the first section and sixth line, after the word "interest," "not exceeding ten per cent."

After debate, the question was ordered upon the amendment of Mr. Smith, which was not agreed to.

The question was then put upon the amendment of Mr. Merrill, which was lost.

The question then recurred upon the passage of the bill. Whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adkins,	Hicks,	Smith, 36th Dist.,
Anderson,	Higbee,	Speer,
Brock,	Jordan,	Stringer,
Burns,	Merrill,	Welch,
Candler,	McArthur,	Winn.
Colman,	Nunnally,	Wooten.
Fain,		

Those voting in the negative, are Messrs:

Bowers,	Harris,	Moore,
Collier,	Hinton,	Sherman,
Corbitt,	Holcombe,	Smith, 7th Dist.,
Graham,	Hungerford,	Wallace,
Griffin, 6th Dist.,	Lester,	Wellborn.
Griffin, 21st Dist.,	McWhorter,	

Yeas, 19; nays, 17 So the bill was passed.

On motion of Mr. Merrill, the Secretary was directed to transmit the action of the Senate forthwith to the House of Representatives.

The Committee on Enrollment submitted the following report:

Mr President: The Committee on Enrollment report as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following resolution, to-wit:

A resolution authorizing the State Treasurer to pay committee clerks, in accordance with certain regulations.

Also, a resolution authorizing the Clerk of the House of Representatives and Secretary of the Senate to draw five hundred dollars, each, from the State Treasurer, to defray contingent expenses.

E. I. HIGBEE,
Chairman.

On motion of Mr. Speer, the rules were suspended, and the Senate took up the bill to provide jurors for special or called terms of the Superior Courts of the counties in this State.

This bill was read the second time, and referred to the Committee of the Whole.

The rules were suspended, and, on motion of Mr. Holcombe, the Senate took up the bill to incorporate the

Georgia Air Line Railroad Company, and made the same the special order for Thursday morning next.

On motion, the rules were suspended, and Mr. Harris offered the following resolution, to-wit:

Resolved, by the Senate and House of Representatives, That the Treasurer be and he is hereby authorized to consolidate the receipts from the Convention tax with other funds in the Treasury, and to pay therefrom the certificates issued by order of said Convention, upon warrants for the same being issued by his Excellency the Governor.

After debate, Mr. Harris called the previous question, which being sustained, the main question was ordered to be put, upon the passage of the resolution. Whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adkins,	Griffin, 21st Dist.,	McWhorter,
Bowers,	Harris,	Sherman,
Brock,	Hicks,	Smith, 7th Dist.,
Colman,	Higbee,	Speer,
Corbitt,	Holcombe,	Stringer,
Griffin, 6th Dist.	Hungerford,	Wallace.

Those voting in the negative, are Messrs:

Burns,	Graham,	Wellborn,
Candler,	Lester,	Winn,
Collier,	Nunnally,	Wooten.
Fain,		

Yeas, 18; nays, 10. So the resolution was adopted.

Mr. Harris moved to transmit the resolution forthwith to the House of Representatives.

Mr. Hungerford moved to lay the motion to transmit on the table, which was agreed to.

On motion of Mr. Wooten, the rules were suspended, and the Senate took up the bill to require the Reporter of the Supreme Court to publish the decisions of the same in pamphlet form, and to provide for the distribution of the same, and for other purposes.

The report of the committee was agreed to, and the bill was read the third time and passed.

On motion of Mr. Hinton, the rules were suspended, and the Senate took up the bill for the relief of Mrs. Margaret W. Crew, of the county of Marion, and pending the consideration of which, the Senate adjourned until to-morrow morning at nine o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

WEDNESDAY, September 2, 1868.

The Senate met pursuant to adjournment, and was called to order by the President. Prayer by the Rev. Mr. Prettyman.

The roll was called, and the Journal of the previous day read and approved.

Mr. Nunnally, in conformity with previous notice, moved to reconsider so much of the journal of yesterday, as relates to the adoption of the resolution of Mr. Harris, authorizing the treasurer to consolidate the receipts from the convention tax, with other funds in the treasury, and to pay therefrom certificates, issued by order of said convention, upon warrants issued by the Governor.

The motion to reconsider was agreed to, and on motion of Mr. Nunnally, the resolution was laid on the table for the present.

Mr. Wooten, presented a petition from citizens of Randolph county, which was read and referred to the Committee on New Counties and County Lines.

The following message was received from His Excellency the Governor, by Mr. Davis, his Secretary, to-wit:

Mr. President: I am directed by His Excellency the Governor, to deliver to the Senate, a sealed communication, which he respectfully asks to have considered in Executive session.

Mr. Hungerford, presented a petition from teachers of Richmond county, which was read and referred to the Committee on Education.

The Sub-Committee appointed to visit the Academy for Deaf and Dumb, located at Cave Spring, Floyd county, Georgia, submitted the following report, which was referred to the Committee on the Deaf and Dumb Asylum, to-wit:

Mr. President: We, the undersigned, proceeded in accordance with the design of our appointment, on August 14th, by the way of Rome to Cave Spring, Floyd county, to examine into the condition of the Academy for the Deaf and Dumb, established at that place.

On our arrival we were courteously waited upon by the Trustees, the Principle and Steward, who opened the buildings for our inspection, conducted us over the grounds connected with the institution, and afforded us every opportunity to verify the reports lately made by the principal and steward to the commissioners or trustees, as also to enable us to recognize the reasonableness of the appropriations recom-

mended by said commissioners in their late report to Provisional Governor Ruger; all which reports have been transmitted to the General Assembly.

As some of the pupils connected with the academy were present, having remained during the vacation, we were afforded an opportunity of witnessing their performance of a variety of exercises in the various branches in which they had been taught. Examples in Arithmetic were wrought out on slates, narrations given by the Principal in the sign language were rendered by the pupils in written language on slates. We also witnessed the devotional exercise of the pupils as conducted by the Principal on Sunday.

We were impressed with the semblance of a well regulated and affectionate family in all that we witnessed at the dinner table, where sat the Steward and Principal, and near them these pupils. We visited the work shop in which as yet only one occupation is carried on, that of shoe making. The building is sufficiently large for instruction in a variety of trades, and as the number of pupils will probably increase, we think provision should be made for instruction in other trades, such as a knowledge and practice of which afford to the pupils in after life the best means of support in the community in which their lot will probably be cast, and such as may be maintained without expense to the State.

We found the Academy building well suited for the purpose for which it was intended. The parlor, steward's room, dining room, four school rooms, and chapel, are all convenient and situated on the first floor. The sleeping apartments is placed on the second floor.

In the school rooms we noticed an excellent arrangement of large slates fixed in the wall at a proper angle and elevation with the edges joined; and thus presenting a surface convenient for large diagrams.

We visited the springs and other places of interest in the vicinity of the Academy, and could not but admire the beauty of the scenery around, somewhat marred it is true, by the hands of man, not always guided by a cultivated taste.

All the Literary Institutions of this place, we found to be flourishing and under the superintendence of competent teachers; and now that the railroad to connect Selma with Dalton, by way of Cave Spring, is completed or nearly so, to the latter place, and is graded to Rome, increased advantages and attention will be given to all these Institutions, including the State Institution for the Deaf and Dumb, and in future times, as in the past, the traveler will admire Cave Spring, as one of the most lovely and romantic villages in

Georgia. In examining the grounds, consisting of some seven or eight acres connected with the Academy, we were inclined to find some fault with the original laying out of the same, and with the location of the out-buildings, including the manual labor shops. We thought it would have been more in accordance with good taste to have placed the shop and the kitchen garden, a little more in the back-ground, and not to have placed the stable, barn and barn yard so near the middle of the grounds.

We failed to see the peculiar charm in the grouping of mutilated peach trees near the main building, to the exclusion of forest trees and shrubbery, which grow no where more luxuriantly than in Van's Valley.

All the grounds, we think, should be enclosed with a neat and substantial fence, or what would be preferable, a hedge of the macartney or microphylla rose, and suitable forest-trees and shrubbery should be planted in all parts of the grounds, except what would be necessary for a kitchen garden, unless such garden should be dispensed with or other grounds rented or purchased for that purpose.

The numerous division fences as it seems to us, should be removed, and access given to all parts of the grounds by graveled walks. Instead of the large wood-yard, a wood-house might be substituted. The shop and spring with the grounds, belonging to the same and which are separated from the other grounds, on which the Academy building is placed by a public road, should be included and planted with trees and shrubbery, and a new bathing-house should be erected below the spring.

All of which is respectfully submitted.

(Signed)—From Senate—

E. I. HIGBEE,
JOHN B. DICKEY,
B. R. McCUTCHIN

From House—

W. A. LANE,
M. R. BALLENGER.

Mr. Merrill, from the Judiciary Committee, made the following report:

Mr. President: The Committee on the Judiciary, to whom was referred a bill to change the line between the counties of Randolph and Terrell, so as to include the residence and farm of James W. Bone, within the limits of Terrell county, have had the same under consideration, and recommend that it do pass.

Also, a bill to incorporate the Georgia and Alabama Life Insurance Association, which they report back without recommendation.

Also, a bill to alter and amend the 4330th section of the Code, changing the penalty for horse stealing from death to a penitentiary offence, which they recommend do pass.

Also, a bill to declare who are eligible to the District Judgeship, which they recommend do not pass.

Also, a bill to require plaintiffs in and owning of judgments or decrees rendered in any of the courts of this State, to be enforced out of the county where rendered against property which has passed through the possession of the defendants, to be recorded in the county in which they are to be enforced, and for other purposes, which they recommend do pass.

Also a bill to alter and amend the 4322d section of Irwin's Code, changing penalty of burglary in the night, from death to a penitentiary offence, which they recommend do pass.

Also, a bill to amend the charter of the city of Albany, which they recommend do pass.

Also, a bill to repeal section 3525th of Irwin's Code, in relation to judgment liens, and to adopt a section in lieu of said repealed section, and also to change section 2863d of said Code to make it conform to this act, which they recommend do not pass.

Also, a bill to authorize executors and administrators, residents of any other State, of the United States, to sell and convey real estate of their testators recoverable by suit at law in this State, by said executors or administrators under the same rules and regulations as are now prescribed for executors and administrators, residents of other States, which they propose to amend by adding the following proviso at the end of the 1st section, to wit:

Provided, such foreign executor or administrator, shall file in the ordinary's office at the time of his application for sale, authenticated exemplification of letters testamentary or of administration, and with this amendment, they recommend the same do pass.

W W MERRILL, Chairman.

The Committee on Public Printing made the following report:

Mr. President: The Committee on Public Printing, to whom was referred the question, as to when the duties of the Public Printer commence, beg leave to report that they have examined into the law, are all satisfied that the duties of the Public Printer, elected by this General Assembly, do not commence until the next session of this General Assembly.

C. J. WELLBORN,
R. J. NESBITT,
B. B. HINTON,
J. C. RICHARDSON,

The following was presented as a minority report :

Mr. President: A portion of the Committee on Public Printing now beg leave to make a minority report :

Whereas, the General Assembly being organized under the constitutional authority of the Congress of the United States, have refused to recognize the validity of the acts of the General Assembly of 1866, in the election of United States Senators, Supreme and Superior Judges, whose terms of office had not expired if properly and legally elected; and *whereas*, this present General Assembly, made vacant said offices, and filled them by another election; and, *whereas*, J. W. Burke, was elected to the office of State Printer, by the same improper and illegal General Assembly, November 7th, 1866; and, *whereas*, this General Assembly, did, on the 6th of August, 1868, elect Samuel Bard to the office of State Printer, over said Burke, for two years; and, *whereas*, there are some doubts in the minds of your Committee as to when his term of office commences—

Therefore, your Committee most respectfully and earnestly recommend, that the General Assembly authorize Samuel Bard to enter upon his duties as State Printer, at once.

JOSIAH SHERMAN,
F O. WELCH,
W B. JONES.

Mr. Nunnally, from the Committee on Relief, submitted the following report :

Mr. President: The Committee to whom a bill to be entitled An Act for the Relief of Debtors, and to authorize the adjustment of debts upon principles of equity, which they recommend do pass with the following amendment :

SECTION 7th. That in all cases where levies have been made, and the property levied upon has not been sold, it shall and may be lawful for the defendant or defendants to file their affidavits, stating that they desire to take the benefit of the remedy provided for in this bill, and the Sheriffs to whom said affidavits are presented, shall receive the same and suspend the sale, and return the papers to the court from which the process under which they act may have issued, or to such court, as may by law have jurisdiction."

A. D. NUNNALLY,

Chairman.

Mr. Fain, from the Committee on Petitions, made the following report, to-wit :

Mr. President: The Committee on Petitions have had under consideration by reference, a bill to be entitled an act

to declare the charter of the city of Darien, inoperative and void, and recommend that the bill do not pass.

J. C. FAIN,
Chairman.

Mr. Hungerford, from the Special Committee on Public Buildings, submitted the following report, to-wit:

Mr. President and Senators: The Special Committee appointed by a resolution of the Senate, to visit and examine the Public Buildings at Milledgeville, having performed that duty, respectfully report that the buildings appurtenant to the

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are ample and in good repair. Those destroyed by the Federal army have been rebuilt in superior style; and in addition thereto, several new buildings have been erected, to-wit: A brick building 180 by 30 feet, with walls 14 feet high, containing dining room, store room, cook room and chapel. A brick building for hospital, 60 by 40 feet, two stories high, with thick walls, iron doors and iron grates. A brick building for mechanical shops 130 by 30 feet, two stories high. Also, a brick building for office of Principal Keeper. The car shop sufficiently large for the employment of 60 hands, has been rebuilt; but some machinery is needed for successful operation of the same. The blacksmith shop has also been rebuilt, and is sufficiently large for ten forges to be operated successfully therein. The cell building has been thoroughly repaired and made more secure than ever before, it is built of rock, has iron shutters, and will safely lodge five hundred prisoners. The tan yard buildings, barracks for guard, and apartments for female convicts, are all made of brick, and in good repair. The water tank, holding 60,000 gallons of water has been rebuilt. The brick walls by which all these buildings are enclosed, are high and thick. All out-buildings and residences for Principal Keeper, Book Keeper, Salesman and Tanner, are in good condition, and the entire square, belonging to the Institution, and containing about 20 acres, is enclosed with a substantial plank fence. All these improvements have been made with convict labor, and reflect creditably upon the officers in charge.

THE LUNATIC ASYLUM,

with all the buildings and appliances necessary for the convenience of its officers and attendants, and for the comfort, health and security of its patients, is an enduring monument to the generosity of Georgia. Both departments, for colored and white patients, are now filled to their utmost capacity,

and every dictate of humanity requires that the Institution should be fostered. There are but few of the kind in this, or any other country, superior to it; and the buildings belonging thereto, are too numerous and extensive to be separately considered in this report, further than to say of the main building, that much of the mastic has fallen from its exterior walls, which renders it somewhat unsightly, and that its roof needs some repairs. With these exceptions the buildings of this Institution are generally in good condition.

The building known as the Executive Mansion, is beautifully located, and distant half a mile, from that known as the Capitol. It is palatial in dimension, and magnificent in appearance, and recently, has been thoroughly and substantially repaired, and most elegantly furnished. Many modern improvements to adorn and make it comfortable, have been introduced in this building, making it equal, if not superior, to a majority of the Executive Mansions in the Union. It is now in perfect order from dome to basement, and would answer most admirably in every particular, its design. The buildings appurtenant thereto, have all been repaired. They are conveniently arranged, are sufficient for all purposes, and are now in good order. It is believed that a guard is necessary for the protection of this Mansion, and the immensely expensive furniture therein; much of which your committee would remark, was selected with special regard to its adaptability to the construction of this building.

The capitol has also been extensively improved by recent repairs. The great expense necessary therefor has been skillfully applied, making this building much more beautiful and commodious than ever before. It is eligibly and beautifully located in the centre of the public square, reserved for that purpose, and containing twenty acres more or less. The symmetry of this building viewed distantly or near, is beautiful, and it appears to be remarkably substantial. Every part of it was carefully examined and found to be in good condition.

The basement, hitherto useless, has been extensively improved and thereby an entirely new and elegant story added to the building. Every room on this floor, eighteen in number, is well ventilated and is made perfectly free from moisture by means of an area extending entirely around the building; most of these rooms are supplied with water pipes and fire places, and several of them are now filled with public records. The Supreme Court room conveniently arranged, handsomely furnished, beautifully adorned, and at all times comfortable, is on this floor, with all necessary adjuncts, such as law library, clerk's office, and rooms for consultation of court and bar. On the next floor, which is about twenty

feet above the ground, are twenty rooms and two broad halls, crossing at right angles in the centre and extending through to an entrance at each end, and on each side. These rooms were formerly occupied by the Governor and his Secretaries, by the Secretary of State, the Comptroller General, Treasurer, Librarian and State House guard. They have all the appliances necessary for the convenience and comfort of those officers and the safety of records, and have been recently plastered and painted most beautifully. On the next or third floor are the Legislative Halls and Committee rooms. These halls are large, with high walls and splendid galleries. They are sufficiently commodious and having been replastered and repainted, are now quite elegant. The furniture has been removed from both, but life size pictures of patriot sires, still adorn their walls. In the Senate Chamber may be seen those of Washington, Jefferson, Troup, Clark, Crawford and Jackson, and in the Representative Hall, those of Jefferson, Jackson and Franklin. Gas tubes and water pipes extend through the entire building. The water tank holding several thousand gallons, is new and in good order, and a sufficient quantity of hose to reach any part of the building is on hand, hence no danger to building or loss of records by fire, need be apprehended. The clock in the cupola, with four dial plates is said to be in good order. The roof is newly covered with tin, is free from leakage and believed to be durable. The exterior of this building is durable; it wears a new coat of mastich, which appears to have been put on in a skillful and workmanlike manner. The entire building is in good repair, and indeed is in much better condition than ever before. It is more commodious, more durable and more elegant, and is now inferior to but few capitols in the Union. A guard is also necessary, for the protection of this building and the public records therein. The fence enclosing the capital square is in bad condition, many entire pannels having been destroyed, and those remaining are badly decayed. Your committee would recommend the adoption of the following preamble and resolutions.

Whereas, a bill is now pending before this Legislature, to amend the Constitution of Georgia, so as to again make Milledgeville, the capital of this State; and *whereas*, it is probable that the proposition to amend the Constitution as aforesaid will prevail; therefore be it,

Resolved, That any disposition at this time, of the public buildings located in Milledgeville, would be inexpedient.

Resolved 2d, That his Excellency the Governor, be and he is hereby authorized and requested to appoint a guard sufficient to protect the said buildings.

Resolved 3d, That his Excellency the Governor, be authorized and requested, to have the capitol square enclosed with a substantial fence, and that the same be built with convict labor if such labor can be made available for that purpose.

McW HUNGERFORD,
Chairman.

On motion of Mr. Holcombe, the rules were suspended and the Senate took up the House bill to incorporate the Georgia Air Line Railroad Company. The bill was read the second time and referred to the Committee of the Whole, to be made a part of the special order for to-morrow morning.

On motion, the rules were suspended, and Mr. Wellborn, offered the following resolution, which was adopted, to-wit :

Whereas, an effort is being made by the people of Tennessee, and Alabama, to remove obstructions from the Tennessee River, so that the same may be made navigable to the city of Chattanooga; and *whereas*, the removal of said obstructions is of great commercial importance to the people of this State, as well as of Tennessee, and Alabama; and *whereas*, said work cannot be consummated without the aid of the general government; therefore,

Resolved, by the Senate and House of Representatives of the State of Georgia, That our Representatives in Congress, be and they are hereby requested to co-operate with the friends of this work in Congress, and that they lend their aid in endeavoring to procure from Congress an appropriation for the purpose of completing this great commercial enterprise.

On motion, the Secretary was directed to transmit the foregoing resolution, forthwith to the House of Representatives.

On motion of Mr. Speer, the rules were suspended, and the Senate took up the bill to provide jurors for special or called terms of the Superior Courts of the counties of this State, for the trial of criminal cases.

The report of the committee was agreed to, the bill read the third time and passed.

On motion, the Secretary was directed to transmit the same forthwith to the House of Representatives.

On motion the rules were suspended, and the Senate took up the bill to incorporate the Etowah Manufacturing and Mining Company, and to confer certain powers and privileges.

Referred to the Committee on Internal Improvement.

The Senate then resumed the unfinished business of yesterday, the same being the bill for the relief of Mrs. Margaret W. Crew, of the county of Marion.

After debate, Mr. Hungerford, offered the following amend-

ment, to-wit: Insert after the word "Georgia," E. A. Crew, of the county of _____, and State of Georgia, strike out "she" and insert "they," strike out "is" and insert "are," insert at the end of section "and to him the said E. A. Crew."

Mr. Speer, moved the previous question, which being sustained, the main question was ordered upon the amendment of Mr. Hungerford, which was not agreed to.

The question was next ordered upon the passage of the bill, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are Messrs:

Collier,	Hungerford,	Smith, 36th Dist.
Hinton,	Nunnally,	

Those voting in the negative are Messrs.

Anderson,	Harris,	Sherman,
Bowers,	Higbee,	Smith, 7th Dist.,
Brock,	Holcombe,	Speer,
Candler,	Jordan,	Stringer,
Colman,	Lester,	Wallace,
Corbitt,	Merrill,	Wellborn,
Fain,	McArthur,	Welch,
Graham,	McWhorter,	Winn,
Griffin, 6th Dist.,	Moore,	Wooten.
Griffin, (21st Dist.)		

Yeas 5; nays 28. So the bill was lost.

The Senate then took up the special order, the same being the bill of the House of Representatives to reorganize the municipal government of the city of Augusta.

Mr. Holcombe, moved the adoption of the substitute as offered by himself, in lieu of the original bill of the House and as a substitute for the amendment as offered by Mr Conley.

Pending the consideration of which, the Senate adjourned until to-morrow morning at 9 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

THURSDAY, September 3d, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Smith, Honorable Senator from the 7th District.

The roll was called, and the Journal of the previous day read and approved.

Mr. Hinton, in accordance with the previous notice, moved to reconsider so much of the Journal of yesterday, as relates to the action of the Senate, on the bill for the relief of Mrs. Margaret W. Crew, of the county of Marion.

After debate, Mr. Harris, called the previous question, which being sustained, the main question was ordered upon the motion to reconsider, which was lost.

The Senate then resumed the unfinished business of yesterday, the same being the motion of Mr. Holcombe, to adopt the substitute as offered by himself in lieu of the House bill to reorganize the Municipal Government of the city of Augusta, and also as a substitute for the amendment as offered by Mr. Conley.

After debate, Mr. Holcombe called the previous question which being sustained, the main question was ordered upon the substitute, whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative are Messrs.

Anderson,	Hinton,	Moore,
Burns,	Holcombe,	Nunnally,
Candler,	Jordan,	Smith, 7th Dist.,
Collier,	Lester,	Wellborn,
Fain,	McArthur,	Winn.

Those voting in the negative, are Messrs :

Adkins,	Griffin, 21st Dist.,	McWhorter,
Bowers,	Harris,	Sherman,
Brock,	Hicks,	Speer,
Colman,	Higbee,	Stringer,
Corbitt,	Jones,	Wallace,
Griffin, 6th Dist.,	Merrill,	Welch.

Yeas, 15; nays, 18. So the substitute was not agreed to.

The question was then ordered upon the amendment of Mr. Conley, whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adkins,	Griffin, 6th District,	McWhorter,
Bowers,	Harris,	Sherman,
Brock,	Hicks,	Speer,
Colman,	Higbee,	Stringer,
Conley,	Jones,	Welch.
Corbitt,	Merrell,	

Those voting in the negative, are Messrs :

Anderson,	Hinton,	Moore,
Burns,	Holcombe,	Nunnally,
Candler,	Hungerford,	Smith, 7th Dist.
Collier,	Jordan,	Wallace,
Fain,	Lester,	Wellborn,
Griffin, 21st Dist.,	McArthur,	Winn.

Yeas, 17; nays, 18. So the amendment was lost.

The question next recurred upon the passage of the bill, whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Anderson,	Hinton,	Moore,
Burns,	Holcombe,	Nunnally
Candler,	Jordan,	Smith, 7th District,
Collier,	Lester,	Wellborn,
Fain,	McArthur,	Winn.

Those voting in the negative, are Messrs:

Adkins,	Griffin, 21st Dist.	McWhorter,
Bowers,	Harris,	Sherman,
Brock,	Higbee,	Speer,
Colman,	Hungerford,	Stringer,
Corbitt,	Jones,	Wallace,
Griffin, 6th Dist.,	Merrill,	Welch.

Yeas, 15; nays, 18. So the bill was lost.

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit:

Mr. President: I am directed by the Governor to deliver to the Senate a communication in writing, with an accompanying document.

EXECUTIVE DEPARTMENT,

ATLANTA, GA., September 3d, 1868.

To the Senate and House of Representatives: The financial affairs of the State, demanding prompt and efficient attention, to the end that her credit may be protected, and promoted by the adoption of proper measures, I have used every means at my command short of an appeal to the courts, to secure a

settlement between the officers who were removed by the United States authorities, and the officers elected by the General Assembly.

By the enclosed communication from the Treasurer, Hon. N. L. Angier, it will be seen, that upon the last appeal made to the late Treasurer for a delivery of his trust, the remarkable plea for delay is given that he is erecting a warehouse, and that therefore, his private affairs are too pressing to permit of immediate attention to matters of vital importance to the whole people. I have been informed by the Comptroller General, Hon. Madison Bell, that the late Comptroller General is waiting for a settlement between the late and present Treasurer, before making a final and full delivery of books, papers etc., in that Department.

An expression of the will of the General Assembly is respectfully invited.

RUFUS B. BULLOCK,
Governor.

TREASURER'S OFFICE,
ATLANTA, GA., September 2d, 1868.

His Excellency, RUFUS B. BULLOCK,
Governor of Georgia, Atlanta:

SIR:—Yours of the 2d inst., making inquiries concerning the indebtedness of the State, and the means adopted to meet the same, duly received this A. M. Feeling the force and necessity of your inquiries, I regret to be compelled to reply, that we have not the data upon which to base anything approaching a satisfactory answer. In compliance with your instructions, and the action of the General Assembly on the 10th ultimo, I hastened to Milledgeville, hoping to be able to get an inside view into the condition of the Treasury, with its liabilities, if not a full settlement and transfer of books and papers. While there, I failed to effect either, though my predecessor, Colonel Jones, was there, to whom I communicated my mission, by letter, making a demand, etc., and received the response, that he would be in Atlanta, the following Monday (Aug. 17th,) for full settlement. On the 15th August, Colonel Jones wrote that from indisposition, he would not be able to come for settlement until the last of the following week. He failed to meet either appointment, and I heard nothing further from him, until the 30th, dated at Milledgeville, August 28th, stating that he found his business such, that he was forced to go to New York, from whence he had just returned, and would be here on the 31st.

To-day, I received another letter, stating that he was erecting a warehouse, the cotton season being near at hand, workmen sick, causing his private affairs to be so pressing that he could not come before Monday next. Several letters have been received, urging the payment of State bonds and coupons past due, and I have been compelled to reply, no funds in hand; though there must be of seven-twenty State bonds unsold, more than sufficient to meet present liabilities.

Colonel Jones further stated, that he had no funds belonging to the Treasury, and also stated, that he was not seeking to delay a settlement, but entirely ready and anxious to get the load off his shoulders.

Most respectfully submitted,

N. L. ANGIER,
Treasurer.

On motion of Mr. Harris, the Senate took up the message of his Excellency, the Governor, with accompanying document, and on motion of Mr. Burns, the same were referred to the Committee on Finance.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have concurred in the following resolution of the Senate, to-wit:

A resolution requesting the Governor to prohibit armed and unlawful assemblages, which I am directed to transmit forthwith, to this branch of the General Assembly.

The Committee on Banks made the following report:

Mr. President: The Committee on Banks, to whom were referred certain bills, have had them under consideration, and direct me to report thereon, as follows:

A bill to be entitled an act, to incorporate the Nutting Banking Company in the city of Macon, which they recommend do pass with the following amendments, or additional sections, to-wit:

SECTION 7 *Be it further enacted,* That the Board of Directors shall make semi-annual statements of the condition of said Company, on the first Mondays in January and July, of each year, to its stockholders and to the Governor of the State, of all its debts, liabilities and assets, whatever, under oath of their President and Cashier, before a Justice of the Peace, or other officer, authorized to administer oaths, and such statement shall be kept in a book for that purpose for future reference.

SEC. 8. The Company shall have a printed copy of this charter placed in a frame in their office, so that all parties may

see the same, who wish to transact business therewith. These sections to come in before the repealing clause.

They have also had under consideration, a bill to be entitled an act to incorporate the Fort Valley Loan and Trust Company, which they recommend do pass, with the same amendment or additional sections, as above set forth, as amendments to the bill incorporating the Nutting Banking Company, said sections to come in before the repealing clause.

C. J. WELLBORN,

Chairman.

The Committee on Enrollment made the following report :

Mr. President : The Committee on Enrollment report as duly enrolled, and ready for the signatures of the President of the Senate and Speaker of the House of Representatives, the following resolution, to-wit :

A resolution requesting the Governor to prohibit armed and unlawful assemblages.

E. I. HIGBEE.

Chairman.

The Senate took up the special order of the day, the same being the House bill incorporating the Georgia Air Line Railroad Company.

After debate, on motion of Mr. Holcombe, the following words were stricken out in section 2d, to-wit : "That nothing in this act shall be so construed as to authorize the material deviation of the route as prescribed by the original charter, of which this act is amendatory."

On motion of Mr. Holcombe, the following was adopted in lieu of the above, as stricken, out, to-wit : *Provided*, that nothing in this act shall be so construed as to authorize any material change in the location of the main trunk of said road from the route, as originally located by the directory of said road in Hall county.

On motion of Mr. Holcombe, the following was adopted in lieu of section five, to-wit :

Be it further enacted, That said company shall never sell said charter to any company so as to defeat the building and completion of said road.

Section 6, repeals conflicting laws.

On motion of Mr. Holcombe, the bill as amended was read the third time and passed.

On motion, the Secretary was directed to transmit the same forthwith to the House of Representatives.

On motion of Mr. Nunnally, the Secretary was directed to have printed for the use of the Senate, fifty copies of the bill to be entitled an act for the relief of debtors, etc.

On motion of Mr. Speer, the rules were suspended, and the Senate took up the bill to incorporate the Nutting Banking Company, of the city of Macon.

The report of the committee was agreed to, and it requiring a constitutional majority to pass the same, the yeas and nays were required to be recorded.

Those who voted in the affirmative, are Messrs :

Anderson,	Griffin, 6th Dist.,	McWhorter,
Brock,	Griffin, 21st District,	Nunnally,
Burns,	Hinton,	Smith, 7th Dist.,
Candler,	Hungerford,	Speer,
Collier,	Lester,	Wellborn,
Fain,	McArthur,	Wooten.
Graham,		

Those voting in the negative, are Messrs :

Bowers,	Holcombe,	Smith, 36th Dist.,
Corbitt,	Jordan,	Stringer,
Harris,	Merrill,	Wallace,
Higbee,	Sherman,	Winn.

Yeas 19 ; nays 12. Two thirds not voting in the affirmative, the bill was lost.

The following message was received from His Excellency the Governor, by Mr. deGraffenreid, his Secretary, to-wit :

Mr. President : The Governor has signed the following act, to-wit :

“An act to authorize the holding of the Superior Courts at the ensuing fall terms, and to provide juries therefor.”

On motion, the rules were suspended for the introduction of new matter, and the following bills were introduced and severally read the first time, to-wit :

By Mr. McArthur, a bill to give to persons who may be employed in and about any steam saw mill located in the State of Georgia, or to any person or persons who may furnish any steam saw mill so located, with timber, saw-logs, or provisions, or with any thing necessary to carry on the work of said mill, a lien of the highest dignity upon said mill for dues, wages, debts, or demands that he, or she or they, may have against the owner, agent, or lessee of said mill.

By Mr. Brock, a bill for the relief of A. L. Sutherland, of the county of Whitfield.

By Mr. Smith, of the 30th District, a bill to regulate judicial sales of real estate.

By Mr. Nunnally, a bill for the relief of persons whose lands were sold under tax *fi. fas.* for the years 1860 to 1865, inclusive, and to provide for the redemption of the same.

By Mr. Candler, a bill to alter and change the line between the counties of DeKalb, and Henry, so as to include in the county of Henry, the residence of John Calloway.

By Mr. Higbee, a bill to amend an act entitled an act to donate the Okefenokee Swamp lands as a permanent endowment to the Georgia Orphans' Home.

By Mr. Fain, a bill to prevent the felling of trees or casting into water courses and mill or other ponds, any vegetable matter that is subject to decay, and to provide the punishment for the same.

By Mr. Hinton, a bill to authorize Margaret W. Crew, of the county of Marion, to contract in marriage, and for other purposes.

On motion, leave of absence was granted to Senator Merrill, for a few days.

The following bills were taken up and read the second time, and referred to the Committee on Petitions, to-wit:

A bill for the relief of G. L. Roberts, and Rebecca Mathis, of the county of Union, from the payment of a certain bond therein specified.

A bill for the relief of William F. Attaway, as security.

The hour of half-past one o'clock having arrived, the President announced the Senate adjourned until to-morrow morning at 9 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

FRIDAY, September 4th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Smith, Honorable Senator from the 7th District.

The roll was called, and the Journal of the previous day read and approved.

Mr. Speer, in conformity with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate, on the bill to incorporate the Nutting Banking Company in the city of Macon.

After debate, Mr. Speer called the previous question, which being sustained, the main question was ordered upon the motion to reconsider, which motion was agreed to.

Mr. Wooten, offered the following, to be inserted in the second section after the word "company," which was agreed to, to-wit: "and each stockholder shall be personally liable to creditors and depositors, to the amount of stock he may own."

Mr. Holcombe proposed the following amendment, which was lost, to-wit: to strike out all after the words, "personally liable."

The question was then ordered upon the passage of the bill as amended. A constitutional majority being required, the yeas and nays were recorded.

Those voting in the affirmative, are Messrs :

Adkins,	Griffin, 6th District,	McWhorter,
Anderson,	Griffin, 21st Dist.,	Nunnally,
Bowers,	Hicks,	Sherman,
Brock,	Hinton,	Smith, 7th District,
Burns,	Hungerford,	Speer,
Candler,	Jones,	Wallace,
Collier,	Lester,	Wellborn,
Corbitt,	Jordan,	Welch,
Fain,	Merrill,	Wooten.
Graham,	McArthur,	

Those voting in the negative, are Messrs :

Holcombe,	Stringer,	Winn,
Smith, 36th Dist.,		

Yeas, 29; nays, 4. So two-thirds having voted in the affirmative, the bill as amended was passed.

On motion of Mr. Speer, the Secretary was directed to transmit the bill, forthwith, to the House of Representatives.

Mr. Holcombe, in accordance with previous notice, moved to reconsider, so much of the Journal of yesterday, as relates to the action of the Senate, on the bill of the House, and the amendment and substitute thereto, for the re-organization of the municipal government of the city of Augusta. The motion to reconsider, was agreed to.

On motion, the Senate then went into Executive session, and after remaining some time therein, the doors were thrown open, and it transpired that the Senate, while in Executive session, had confirmed the following appointments of His Excellency, the Governor :

The Hon. John R. Prescott, of the county of Emanuel, to be Solicitor General of the Middle Circuit Superior Court for the term of four years, from the twenty-first day of July, one thousand eight hundred and sixty-eight.

The Hon. Alfred B. Smith, of the county of Chatham,

to be Solicitor General of the Eastern Circuit Superior Courts, for the term of four years, from the twenty-first day of July, one thousand eight hundred and sixty-eight.

Mr. Harris, from the Committee on Finance, made the following report :

Mr. President : The Committee on Finance have had under consideration the communication of the Governor, in relation to the conduct of John Jones, late Treasurer, and report :

That the Senate having been informed by His Excellency, the Governor, that said Jones, former Treasurer, having failed to comply with the demand made upon him to deliver to N. L. Angier, present State Treasurer, the trust in his hands, and render an account of the money, bonds, books and all effects in his possession or control, belonging to the Treasury. Be it therefore,

Resolved, That His Excellency, the Governor, be requested to proceed to take all legal measures at his command, to compel said Jones to a full, prompt and speedy settlement.

JOHN HARRIS,
Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk :

Mr. President : The House of Representatives have adopted the following resolution, to-wit :

A resolution to appoint a committee of three, on the part of the House, to confer with a like committee from the Senate, to examine into the business of the General Assembly, so as to fix upon an early day for adjournment. Said committee on their part to consist of Messrs. Hudson, of Harris, Flournoy, of Washington, Smith, of Charlton.

The Senate then resumed the consideration of the bill re-organizing the municipal government of the city of Augusta.

Mr. Candler, moved to amend the third and sixth sections of the House bill, by striking out Wednesday, the 25th day of November, and inserting in lieu thereof "Tuesday, the 1st day of December," and to add as section eleven, the following, to-wit :

That the Sheriff of the county of Richmond is hereby directed and required to be present during said election, at the place of voting, with a police force to be furnished by the City Council of said city, and preserve the public peace, and prevent any interference with the managers of said election.

Mr. Hungerford offered the following as a substitute for the whole, to-wit :

A BILL

To be entitled an act to reorganize the municipal government of the city of Augusta.

Whereas, the present Mayor and City Council of Augusta, were appointed by military authority, which authority has ceased to exist.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same,* That an election for Mayor and Members of Council of said city be held on Wednesday, the 2d day of December next, in the manner established by the laws of this State, and the ordinances of said city, and to continue in office until the 2d Monday of April, 1870. The officers so elected, shall hold their offices until their successors are elected and qualified. That said election shall be held under the supervision of John C. Snead, Judge of the City Court, Wm. R. McLaws, late Judge of the County Court of Richmond county, Ellery M. Brayton, late Ordinary of said county, Wm. Doyle, formerly Sheriff of said county, and Robert A. Harper, and such other persons as they may appoint for that purpose; shall open books or lists of registration at the City Hall in Augusta, for the registration of the voters in said city, under the Constitution and laws of this State, and the ordinances of the city, in conformity thereto, which books or lists shall be kept open from the 1st Monday in September, and be kept open until two o'clock, P. M., of the fourth Wednesday in November. That John C. Snead, Judge of the City Court of said city, Wm. R. McLaws, late Judge of the County Court of Richmond county, Ellery M. Brayton, Clerk of the Superior Court, of said county, Wm. Doyle, Deputy Sheriff, of said county, and Robert A. Harper, or other person or persons by them appointed, upon the application in person to him or them, of any person entitled to vote under the Constitution and laws of this State, and ordinances of the city in conformity thereto, within the time prescribed for the books or list to be kept open, shall register the name of such person, deliver to him a certificate of such registry expressing his name, number, and the date of such registry. John C. Snead, Wm. R. McLaws, E. M. Brayton, Wm. Doyle, Robert A. Harper, or other person or persons so appointed to register, such applicant is entitled to vote according to the Constitution and laws of this State. That

it shall be the duty of said John C. Snead, Wm. R. McLaws, E. M. Brayton, Wm. Doyle, Robert A. Harper, or other person or persons appointed by them, each day to furnish to two city papers for publication, a list of persons registered by him or them, and furnished to the managers of the election to be held thereafter, a full and complete list of all names registered by him or them.

That when any vote is challenged, the managers of said election shall administer the following oath: You do solemnly swear (or affirm) that you have been duly registered as a voter in this city for this election, that you are a citizen of the United States, that you are (21) twenty-one years of age, and that you have resided in this State for the past six months, and in this city for the past three months, and that for all said time you have considered this State your permanent home, and that you have paid all taxes and made all returns required by the ordinances of this city, that you have had it in your power to do and that you have not voted before at this election, so help you God." Upon the taking of which oath and the name given appearing upon the list of registered voters, such person shall be entitled to vote without let or hindrance. That said John C. Snead, Wm. R. McLaws, E. M. Brayton, Robert A. Harper, or person or persons by them appointed, shall make separate books or lists for the registration of the white and colored voters in said city. Nothing in this act shall be so construed as to exclude any person from registering or voting on account of race or color. Within ten days after said books or lists of registration are formally closed, it shall be the duty of John C. Snead, W. R. McLaws, E. M. Brayton, Wm. Doyle, and Robert A. Harper, to appoint sixteen discreet and proper persons in the city, eight republicans, and eight democrats, who are residents of said city and entitled to vote at said election, to hold an election at the City Hall, where shall be provided four boxes, two for the white and two for the colored, for Mayor and Members of Council and the persons receiving a plurality of the votes cast for Mayor, shall be duly declared elected Mayor of the city, for and during the time preceding the second Monday in April, 1870, when another election shall be held, and annually thereafter, in accordance with the requirements of this law, and the laws, ordinances and usages of the city heretofore and hereafter made, and the persons receiving the like vote shall be declared duly elected councilmen for the same time and annually thereafter. The sixteen persons so appointed to hold said election, shall each subscribe an oath to fairly and impartially hold said election in accordance to this law, the said

oath to be administered by any magistrate, or other officer in this city, having power to administer an oath, and eight of them, four democrats and four republicans, shall be designated as managers, to receive polls, count the colored voters of said city, and eight, four democrats and four republicans, the white voters, and after said votes are counted they shall be consolidated, and the returns of the election made, with the list of persons voting and ballots cast, to the Clerk of Council, who shall immediately notify the Mayor and Council thereof, together with the persons elected, and the Mayor and Council shall proceed as heretofore to install said persons into their respective offices, and turn over the city government to said persons so elected.

That at said election, no other persons than said managers, necessary clerks, the Sheriff and his Deputy, a police force, and sixteen persons to act as managers—eight republicans and eight democrats—two to a side for each box, to be subject to the order of said Sheriff to preserve order, shall be allowed to be present, armed and at the boxes, shall immediately leave after voting, and any person or persons, attempting to or disturbing said managers, or creating any disturbance at said election, after being requested to desist, shall by said managers be ordered to jail, and there remain until said election is over. Said John C. Sneed, W. R. McLaws, E. M. Brayton, William Doyle and Robert A. Harper, are hereby constituted and created a Board of Commissioners, for the purpose herein set forth, and a majority of said board shall decide all orders and questions, whether of appointments or orders, as herein provided, for the Mayor and Council so elected; shall provide for the payment, from the City Treasury, of the expenses of the registration and election; and, upon the installation of the Mayor and Council so elected, the powers herein delegated to said John C. Sneed, Wm. R. McLaws, E. M. Brayton, Wm. Doyle and Robert A. Harper, shall cease. All laws of this State in relation to said election, and also, all ordinances, not in any wise conflicting herewith, are hereby declared of force and applicable to said election as fully as though here re-enacted.

All laws in conflict herewith are hereby repealed.

The question was then ordered upon the substitute of Mr. Hungerford, whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs :

Adkins,	Higbee,	Speer,
Bowers,	Hungerford,	Stringer,
Colman,	Merrill,	Wallace,
Corbitt,	McWhorter,	Welch.
Harris,	Sherman,	

Those who voted in the negative are, Messrs :

Anderson,	Griffin, 21st Dist.,	Moore,
Brock,	Hicks,	Nunnally,
Burns,	Hinton,	Smith, 7th Dist.
Candler,	Holcombe,	Smith, 36th Dist.,
Collier,	Jordan,	Wellborn,
Fain,	Lester,	Winn.
Graham,	McCutchen,	

Yeas, 14 ; nays, 20. So the substitute was lost.

Mr. Higbee offered the following amendment which was lost, to-wit :

SECTION 1. *Be it enacted, etc.*, That an election for Mayor and Members of Council of said city, be held on Thursday, the 8th day of October next, in the manner established by law, and the ordinances of force and not hereby modified or repealed.

Mr. Higbee then offered the following amendment to the substitute of Mr. Holcombe, to-wit : to strike out sections four, five and six, and insert the following in lieu, to-wit :

"The Mayor and Members of Council shall be elected by general ticket, the polls to be opened at the City Hall in said city, at 7 o'clock, A. M., and closed at 6 o'clock, P. M. There shall be two boxes opened, one in which the ballots of white persons shall be cast, and one in which the ballots of colored persons shall be cast ; and the managers, or a majority of them, shall keep the polls open two days, if in their judgment, it shall be found necessary for the polling of all the votes.

The question was then ordered upon the amendment of Mr. Higbee, whereupon, the yeas and nays were required to be recorded.

Those who voted in the affirmative are, Messrs :

Adkins,	Harris,	Sherman,
Bowers,	Higbee,	Speer,
Brock,	Jones,	Stringer,
Colman,	Merrill,	Wallace,
Corbitt,	McWhorter,	Welch.
Griffin, 6th District,		

Those who voted in the negative are, Messrs :

Anderson,	Hicks,	Moore,
Burns,	Hinton,	Nunnally,
Candler,	Holcombe,	Smith, 7th District,
Collier,	Hungerford,	Smith, 36th Dist.,
Fain,	Jordan,	Wellborn.
Graham,	Lester,	Winn.
Griffin, 21st Dist.,	McArthur,	

Yeas, 16 ; nays, 20. So the amendment was lost.

The question was next ordered upon the amendment of Mr. Candler, which was agreed to.

After debate, Mr. Candler, called the previous question, which being sustained, the main question was ordered upon the amendment of Mr. Holcombe, which was agreed to.

Mr. Holcombe then moved the adoption of the House bill, as amended, whereupon the yeas and nays were required to be recorded.

Those who voted in the affirmative are, Messrs :

Adkins,	Griffin, 21st Dist.,	McWhorter,
Anderson,	Harris,	Moore,
Bowers,	Hicks,	Nunnally,
Brock,	Hinton,	Smith, 7th Dist.,
Burns,	Holcombe,	Smith, 36th Dist.,
Candler,	Hungerford,	Speer,
Collier,	Jones,	Wallace,
Corbitt,	Jordan,	Wellborn,
Fain,	Lester,	Welch,
Graham,	Merrill,	Winn.
Griffin, 6th Dist.,	McArthur,	

Those who voted in the negative are, Messrs :

Colman,	Sherman,	Stringer,
Higbee,		

Yeas 32 ; nays 4. So the House bill as amended was adopted.

On motion of Mr. Burns, the Secretary was directed to transmit the bill forthwith to the House of Representatives.

On motion of Mr. Hungerford, the Senate took up the report of the Finance Committee.

Mr. Wellborn, moved that the report be made the special order for Tuesday next.

After debate, Mr. Nunnally, moved to lay the report on the table for the present.

Mr. Harris, called for the yeas and nays which was not

sustained, and the motion to lay on the table for the present, was agreed to.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk, to-wit :

Mr. President: The House of Representatives have passed over the Executive veto by a constitutional vote, the following act, to-wit :

An act to provide for the election of Mayor and a Board of Aldermen, for the city of Savannah.

Mr. Nunnally, moved to suspend the rules to take up the bill "for the relief of debtors," etc., which was not agreed to.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk, to-wit :

Mr. President: The House of Representatives, have concurred in the following resolution and amendment of the Senate, to-wit :

A resolution in relation to removing obstructions from the Tennessee River, etc.

Mr. Speer, moved to suspend the rules to take up the bill to incorporate the Macon Street Railroad Company.

Mr. Candler, moved to amend by taking up bills for a third reading, which was agreed to.

The Senate then took up the bill to authorize Eugene C. Bower, a minor, to practice law in this State.

The report of the committee was agreed to, the bill read the third time and lost.

The Senate took up the bill to make legal any rate of interest.

This bill was reported back without recommendation, and on motion, the same was indefinitely postponed.

The Senate took up the bill to protect planters from imposition in the State of Georgia, from sale of fertilizers.

The report of the committee was agreed to, and the bill as amended, was read the third time and passed.

The hour of one having arrived, the President announced the Senate adjourned until to-morrow morning at 9 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

SATURDAY, September 5th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Hinton, Honorable Senator from the 24th District.

The roll was called, and the Journal of the previous day read, and approved.

Mr. McArthur, moved to suspend the rules to take up the report of the Committee on Public Printing, which was not agreed to.

Mr. Nunnally, moved to suspend the rules for the purpose of taking up the bill for the relief of debtors, etc., which was not agreed to.

Mr. Speer, moved to suspend the rules to take up the bill to incorporate the Macon Street Railroad Company, which motion did not prevail.

On motion of Mr. Wooten, the Senate took up and concurred in the following resolution of the House of Representatives, to-wit:

A resolution providing that a special committee be appointed consisting of one from each judicial circuit, to inquire into the propriety of increasing the judicial circuits.

Also, a resolution to appoint a committee to confer with Senate committee, to examine the calender, and report the state of business in order to fix a day for adjournment.

The Chair announced as the committee on the part of the Senate, Messrs. Speer, McWhorter, and Nunnally.

The Senate then took up and concurred in the House amendment, to the Senate resolution, in relation to the removal of obstructions in the Tennessee River; said amendment is as follows, to-wit:

Resolved, That his Excellency the Governor, be requested to furnish certified copies of these resolutions to our Senators and Representatives in the Congress of the United States, and that our Senators and Representatives, be requested to lay the same before the different bodies of which they are members.

On motion the rules were suspended, and the Senate took up the bill for the relief of debtors, etc.

Mr. Wooten, moved to make the bill the special order for Tuesday next, which was not agreed to.

After debate, Mr. Candler, moved that the bill be taken up by sections, which motion prevailed.

Section 1st, was then taken up and read.

Mr. Anderson, offered the following as a substitute for the whole, to-wit:

Whereas, The Constitution of the State of Georgia, has secured substantial relief to unfortunate debtors, by exempting a reasonable amount of property from sale in the only mode relief can be given under the Constitution of the United States, and the General Assembly being powerless to grant relief to them either by the enactment of stay laws or of repudiation, and believing the continued agitation of the subject to be highly injurious to the credit of our citizens, both at home and abroad; be it therefore,

Resolved, That in the judgment of the General Assembly, they have no power to grant relief further than that secured by the Constitution of the State, and recommend to creditors holding debts contracted prior to the first of June, 1865, to meet their debtors in a spirit of friendship and conciliation, and agree upon a just and equitable compromise and settlement of such claims.

Mr. Winn, moved the adoption of the substitute of Mr. Anderson, which was not agreed to.

Mr. Candler, moved to amend section 1st, as follows: after the word "1865" insert, "except in cases in which the consideration is the purchase money for land."

Mr. Fain, proposed to amend by striking out after the words "for the" the words "defendant, and defendants," and to insert in lieu, the word "parties," also in the 5th line, after the word "debtor," insert, "and creditor also;" also, in the 10th line, after the words "was given," insert, "and the amount lost by the creditor."

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit:

Mr President: I am directed by the Governor, to deliver to the Senate a communication in writing with accompanying documents:

EXECUTIVE DEPARTMENT,
ATLANTA, GA., September, 1st, 1868.

To the House of Representatives:

The act entitled "an act to provide for the election of Mayor and a Board of Aldermen, for the city of Savannah," is, for the following reason, herewith respectfully returned without the approval of the Executive.

By the provisions of the 1st section of this bill, there is but one day allowed for voting; by the 3d section, the num-

ber of ballot boxes is limited to three, all of which are to be placed in the court room for the deposit of ballots.

In view of the number of persons who are entitled to vote in the city of Savannah, and the necessary delay incident to the conduct of an election by a registry list, it is believed that the opportunities for voting provided by the bill, will be insufficient to enable all who may be registered to participate in the election.

That this objection is well founded, may be shown by the fact, that in the registration under the reconstruction acts, had in 1867 and 1868, there were found to be *seven thousand, two hundred and thirty voters* in the city. At the late election, with two ballot boxes at the court house, fifteen hundred and thirteen votes only were polled on the first day, and four full days were consumed in receiving the whole number of votes cast.

RUFUS B. BULLOCK,
Governor.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives have passed the following Senate bill, to-wit.

A bill to be entitled an act to provide jurors for special or called terms of the Superior Court of the counties of this State for the trial of criminal cases.

The House has also adopted the following resolution:

That J. W. Burke, is the State Printer for the present term, and to authorize him to have the same executed without delay, all of which I am directed to transmit forthwith to this branch of the General Assembly.

Mr. Wooten, offered the following as an amendment to the amendment of Mr. Candler, to-wit: to strike out "land," and insert, "any species of property other than slaves."

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit:

Mr. President: The Governor has signed the following act, to-wit:

"An act to provide jurors for special or called terms of the Superior Court of the counties of this State, for the trial of criminal cases."

Mr. Smith, of the 36th District, offered the following amendment to come in after the word "1865," "except for the sale or hire of slaves," which was accepted.

The question was then put upon the amendment of Mr. Wooten, which was lost.

The question was next ordered upon the amendment of

Mr. Candler, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Anderson,	Hicks,	Stringer,
Bowers,	Hinton,	Wallace,
Burns,	Lester,	Wellborn,
Candler,	McArthur,	Winn,
Corbitt,	Moore,	Wooten.
Graham,		

Those voting in the negative, are Messrs:

Adkins,	Griffin, 21st Dist.	Sherman,
Brock,	Harris,	Smith, 7th Dist.,
Campbell,	Holcombe,	Smith, 36th Dist.,
Collier,	Jordan,	Speer,
Fain,	McWhorter,	Welch.
Griffin, 6th District,	Nunnally	

Yeas 16; nays 17 So the amendment of Mr. Candler, was lost.

Mr. Candler, then offered the following as an amendment to come in after the word "default" in the 10th line, to-wit: "it shall further be lawful for the parties to give in evidence, before the jury empannelled to try the same, the value and description of the property owned by the creditor at the time the credit was given, and the value and description of his or her property at the time of the trial, and the destruction or loss of the property owned by him, or her, at the time the credit was given, and the manner of that loss or destruction."

After debate, Mr. Nunnally called the previous question, which was sustained. The main question was then ordered upon the amendment of Mr. Candler, which was not agreed to.

The question was then ordered upon the adoption of section first as amended, and the same as amended was adopted.

Section second was then taken up.

Mr. Hinton, offered the following amendment, which was agreed to, to-wit: after the word "judgment" in the 7th line, insert the words "provided no judgment shall lose the priority of its lien by reason of the rendition of a judgment."

The question was then ordered upon the adoption of section second, and the same as amended, was agreed to.

Section third, was then taken up.

Mr. Burns, moved to amend by inserting after the word "verdict," in the second line, "returning the property, together with compensation for the use of the same, provided that any improvements by the defendant shall be taken in

consideration, or any part of the purchase money which may have been paid."

Mr. Candler, offered the following as a substitute for section third, to-wit :

"That in all cases in which the defendant may have in possession the property for which the debt sued or was contracted, it shall be the duty of the jury to render a verdict in alternation for the property or value of the same at the date of the contract with interest, the plaintiff to be required before the case is submitted to the jury, to say which he will accept."

Mr. Hinton, offered the following, to come in after the words, "of the property," "at the time of purchase, and that after the commencement of the suit the defendant shall not be allowed to sell, transfer, or otherwise dispose of the property for which the suit is instituted to recover."

After debate, Mr. Nunnally, called the previon question, which being sustained, the main question was ordered upon the amendment of Mr. Hinton, which was not agreed to.

The question was next ordered upon the substitute of Mr. Candler, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs.

Adkins,	Hungerford,	Wallace,
Anderson,	Lester,	Wellborn,
Candler,	McArthur,	Welch.
Graham,	Moore,	Winn,
Hicks,	Stringer,	Wooten.
Hinton,		

Those who voted in the negative are, Messrs :

Bowers,	Corbitt,	McWhorter,
Brock,	Fain,	Nunnally,
Burns,	Griffin, 6th Dist.	Sherman,
Campbell,	Griffin, 21st Dist.	Smith, 7th Dist.,
Colman,	Harris,	Smith, 36th Dist.,
Collier,	Jordan,	Speer.

Yeas 16; nays 18. So the substitute of Mr. Candler, was lost.

The question was then put upon the adoption of section third, as amended, and the same as amended, was agreed to. Section four was then taken up and adopted.

Section five, was next taken up and adopted.

Section six was then taken up. Mr. Winn offered the following amendment, to come in at the end of —— section,

to wit: "And the movant in all cases under this act shall pay the cost."

Mr. Nunnally called the previous question, which being sustained, the main question was ordered upon the amendment of Mr. Winn, which was not agreed to.

The question was then put upon the adoption of section six, and the same was agreed to.

Section seven was then taken up, and adopted with the following amendment, to-wit :

Provided, that the property levied upon, be returned to the defendant, upon his giving bond and security as in claim cases.

Mr. Hinton moved that the further consideration of the bill be postponed for the present, and that fifty copies be printed for the use of the Senate, which was not agreed to.

Mr. Harris moved that the bill as amended, be passed. Mr. Nunnally, moved the previous question, which being sustained, the main question was ordered upon the passage of the bill as amended, whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adkins,	Fain,	Nunnally,
Brock,	Griffin, 6th Dist.,	Sherman,
Burns,	Griffin, 21st Dist.,	Smith, 7th Dist.
Campbell,	Harris,	Smith, 36th Dist.,
Collier,	Jordan,	Speer,
Corbitt,	McWhorter,	Welch.

Those voting in the negative, are Messrs :

Anderson,	Hinton,	Stringer,
Bowers,	Holcombe,	Wallace,
Candler,	Hungerford,	Wellborn,
Colman,	Lester,	Winn,
Graham,	McArthur,	Wooten.
Hicks,	Moore,	

Yeas, 18 ; nays, 17 So the bill as amended, was passed.

The Committee on Enrollment, made the following report :

Mr. President : The Committee on Enrollment report as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following act, to-wit :

An act entitled an act to incorporate the Georgia Air Line Railroad Company, and to confer on them certain powers and privileges therein mentioned. Approved, March 5th, 1856, and the acts amendatory thereto.

E. I. HIGBEE,
Chairman.

On motion, the rules were suspended, and Mr. Speer offered the following resolution, which was adopted, to-wit :

Resolved, That the Treasurer be directed to pay the members and officers of the Senate, their pay to date, and to the Senators, mileage one way, upon their accounts being audited by the Auditing Committee.

On motion, the rules were suspended, and the Senate took up the following resolution of the House of Representatives, to-wit :

A resolution authorizing J. W. Burke, to execute the printing.

Mr. Burns moved that the Senate do now concur in the above resolution of the House, whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Brock,	Griffin, 21st Dist.,	Moore,
Burns,	Hinton,	Nunnally,
Candler,	Holcombe,	Smith, 7th Dist.,
Collier,	Jordan,	Wellborn,
Fain,	Lester,	Winn,
Graham,	McArthur,	Wooten.
Griffin, 6th Dist.,		

Those voting in the negative, are Messrs:

Bowers,	Higbee,	Stringer,
Campbell,	Hungerford,	Wallace,
Colman,	Sherman,	Welch.
Corbitt,	Speer,	

Yeas, 19 : nays, 11. So the resolution of the House was concurred in.

The Committee on Enrollment made the following report :

Mr. President : The Committee on Enrollment report as duly enrolled, and ready for the signatures of the President of the Senate, and Speaker of the House of Representatives, the following resolution and act, to-wit :

A resolution in relation to removing obstructions from the Tennessee River, etc.

An act to provide jurors for special or called terms of the Superior Court, of the counties of this State, for the trial of criminal cases.

E. I. HIGBEE,
Chairman.

On motion of Mr. Burns, the Secretary was directed to transmit the action of the Senate forthwith, to the House of Representatives.

The rules were further suspended, and Mr. Brock offered the following resolution, to-wit :

Resolved, By the Senate and House of Representatives, that a committee of two be appointed by the Senate, to act with such committee as may be appointed by the House of Representatives, to take into consideration the revision of Irwin's Code, so as to make it conform to the Constitution, and the legislation thereunder.

The Chair announced Messrs. Brock and Wooten, as such committee on the part of the Senate. Mr. Wellborn, moved to lay the resolution on the table, which was not agreed to.

After debate, Mr. Wellborn called the previous question, which being sustained, the main question was ordered upon the adoption of the resolution, which was agreed to.

On motion of Mr. Lester, the rules were suspended, and the Senate took up the message of the Governor, in relation to the bill providing for the election of a Mayor and Board of Aldermen, for the city of Savannah.

After debate, Mr. Smith of the 7th District, moved that the bill be passed, the veto of His Excellency, the Governor, to the contrary, notwithstanding.

The previous question was called for, pending which call, the hour having arrived, the President announced the Senate adjourned, until Monday morning at 9 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

MONDAY, September 7th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Hinton, Honorable Senator from the 24th District.

The roll was called, and the Journal of Saturday read and approved.

Mr. Candler, in conformity with previous notice, moved to reconsider so much of the Journal of Saturday, as relates to the action of the Senate on the bill for the relief of debtors etc.

After debate, Mr. Adkins moved the previous question, **which** was not sustained.

On motion of Mr. Speer, the special order for the day,

the same being the consideration of the bill for setting apart a homestead of realty, etc., was taken up, and made the special order for to-morrow morning at ten o'clock.

The Senate then resumed the consideration of the bill for the relief of debtors, etc.

After debate, Mr. Nunnally called for the previous question, which being sustained, the main question was ordered upon the motion to reconsider, whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Anderson,	Holcombe,	Stringer,
Candler,	Lester,	Wallace,
Graham,	Merrill,	Wellborn,
Hicks,	McArthur,	Winn,
Hinton,	Moore,	Wooten.

Those voting in the negative, are Messrs :

Adkins,	Griffin, 6th Dist.,	Nunnally,
Bowers,	Griffin, 21st Dist.,	Sherman,
Brock,	Harris,	Smith, 7th Dist.,
Campbell,	Hungerford,	Smith, 36th Dist.,
Colman,	Jones,	Speer,
Collier,	Jordan,	Welch.
Corbitt,	McWhorter,	

Yeas, 15 ; nays, 20. So the motion to reconsider was lost.

The following message was received from his Excellency, the Governor, through Mr. deGraffenreid, his Secretary, to-wit :

Mr. President : The Governor has signed the following resolution, to-wit : "A resolution in relation to removing obstructions from the Tennessee River, etc."

Mr. Merrill, in accordance with previous notice, moved to reconsider so much of the Journal of Saturday, as relates to the action of the Senate, on a resolution directing the Treasurer to pay the members and officers of the Senate the amount due them to date, and to the Senators mileage one way, upon their accounts being audited etc.

After debate, the question was put, and the motion to reconsider did not prevail.

The Senate then took up the unfinished business of Saturday, the same being the call of Mr. Smith, of the 7th District, for the previous question, on the motion to pass the bill providing for the election of a Mayor and Aldermen, for the city of Savannah, over the Executive veto.

By permission of the Senate, Mr. Smith withdrew the call for the previous question.

After debate, Mr Speer moved the previous question, which being sustained, the main question was ordered upon the passage of the bill, upon which the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Anderson,	Hinton,	Moore,
Candler,	Holcombe,	Nunnally,
Collier,	Hungerford,	Smith, 7th Dist.,
Fain,	Jordan,	Wellborn,
Graham,	Lester,	Winn,
Hicks,	McArthur,	Wooten.

Those voting in the negative, are Messrs

Adkins,	Griffin, 6th Dist.,	McWhorter,
Bowers,	Griffin, 21st Dist.,	Sherman,
Burns,	Harris,	Speer,
Campbell,	Higbee,	Stringer,
Colman,	Jones,	Wallace,
Corbitt,	Merrill,	Welch.

Yeas, 18 ; nays, 18. So the veto of His Excellency was sustained.

The Committee on Enrollment made the following report :

Mr. President: The Committee on Enrollment report as duly enrolled, and signed by the Speaker of the House and ready for the signature of the President of the Senate, the following resolution, to-wit:

A resolution authorizing J W Burke, to execute the printing.

E. I. HIGBEE,
Chairman.

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit:

Mr. President: I am directed by his Excellency the Governor, to deliver to the Senate, a communication, in writing, with accompanying documents.

EXECUTIVE DEPARTMENT,
ATLANTA, GA., September 5th, 1868.

To the Senate and House of Representatives :

As is required by the 1207th section of the Code of Georgia, I herewith lay before the General Assembly, the reports of the Board of Trustees, and Treasurer of the University of Georgia.

These reports were not furnished me in time to present them with my annual message, as is required by the statute.

It will doubtless be gratifying to the friends of the University, to perceive, through these reports, that this Institution is in a flourishing condition.

RUFUS B. BULLOCK,
Governor.

UNIVERSITY OF GEORGIA,
August 18th, 1868.

To His Excellency, R. B. BULLOCK,
Governor of Georgia:

SIR :—In accordance with the laws regulating the University of Georgia, section 1205, Code of Georgia ; I have the honor to report to your Excellency, in behalf of the Trustees, that the sixty-seventh annual session of the University, which closed on the 5th inst., was marked by an unusual degree of prosperity. Of the three hundred and fifty-three matriculates, there were in Franklin College and Elective Course, 200 ; Engineer School, 7 ; Law School, 14 ; University High School, 132 ;

Twenty-seven of these students were beneficiaries, exclusive of fourteen disabled soldiers in Franklin College, who were, in part, beneficiaries.

There was a gain of nearly forty-eight per cent. on the attendance of the previous year. Another gratifying fact is, that the University had ninety-three per cent. of its students, from our own State. This shows that the University is doing its work in its own legitimate sphere, by acting directly on the interests of education in Georgia.

The changes introduced into the curriculum of studies and into the methods of instruction, have proved highly successful in their results. In these changes, the trustees had reference to the widening demands of education, and especially to the practical necessities of the times. Believing that the field of education will become every year broader and more diversified in the State ; and that their first duty is to make such educational provisions as shall meet individual tastes, as well as general wants, the trustees have given particular attention to organizing the University in such form and with such facilities as should yield the greatest advantage to the greatest number.

In carrying out these changes, the Faculty and the students have earnestly co-operated with the Board. The energy infused by the professors into the different departments ; the order, discipline and studious habits of the

students taken as a body ; the union of all connected with the University to elevate its aims, and perfect its adaptation to the just requirements of the day, have been most commendable.

The management of the High School during the past year, under the presidency of Mr. B. T. Hunter, has been most satisfactory. One hundred and thirty-two pupils have been in attendance, the most of these being disabled soldiers, who, by the liberal provisions of the State Legislature, are receiving such an education as will fit them to be teachers. On the part of the trustees, the best available measures have been adopted to fulfill the will and generous purpose of the Legislature, in respect to this class of our citizens ; while the young men themselves, have evinced a hearty appreciation of the opportunities thus afforded them to acquire an education. The sagacious forethought that is always the surest characteristic of wise legislation, was never more clearly shown, than in this action of our Legislature ; and so far as I can judge, the practical fruits of this broad beneficence, promise to be even more abundant in remunerative returns to the State, than the Legislature expected.

The new departments of law and engineering, established in the University, are receiving patronage sufficient to indicate their complete success. I feel warranted, therefore, in assuring your Excellency, that the University, in all its branches, is exerting its utmost energies to merit the confidence and reciprocate the sympathies of the people of Georgia.

The buildings and other property connected with the University, have been recently much improved, though the trustees still lack funds to make such additions to the Institution as its expansion requires. While the State is exerting itself so honorably to sustain the interests of education, private generosity is not unmindful of the claims of the University as an agent of public benefaction. Besides the donation made by the late Ex-Governor G. R. Gilmer, of his Library and Cabinet of Minerals, the University has lately received from the Hon. Daniel Pratt, of Alabama, two large paintings, which add greatly to the means and attractions of education in the University.

At the late Commencement there were forty-eight graduates, viz :

In Franklin College	33
In Law School	10
In Engineer School	5

In view of the further enlargement of the University, the trustees determined, at their recent meeting, to establish two new Professorships, and one Assistant Professorship, viz : a chair of Modern Languages, a chair of Belles Lettres, and an Assistant Professorship in the Classical Department.

The following degrees were conferred at the recent Commencement, viz :

On thirty-three graduates of Franklin College the degree of Bachelor of Arts.

On Howell Cobb, Jr., and T. A. Barrow the degree of Bachelor of Arts.

On ten graduates in Law School the degree of Bachelor of Law.

On five graduates in Engineer School, the degree of Civil Engineer.

On Pope Barrow, Esq., Col. Samuel Hall, Rev D. B. Hamilton, Mr. C. C. Kinnebrew, the degree in course of Master of Arts.

On W. B. Johnson, Esq., of Virginia, the honorary degree of Master of Arts.

On Rev John Fulton, Columbus, Georgia, the degree of Doctor of Divinity

On Hon. E. A. Nisbet, of Macon, Ga., LL. D.

I send herewith an abstract of the Treasurer's Report, which will show the receipts and expenditures of the University during the past years, 1867-'68. I also send to your Excellency the Catalogue, and other publications of the University, which will give in detail all the information requisite for understanding the operations of the University during the past session.

I beg to express our high appreciation of your Excellency's solicitude for the welfare of the University, and our grateful sense of your Excellency's considerate attention to its necessities.

I have the honor to remain,

Your Excellency's obedient servant,

ANDREW A. LIPSCOMB,

Chancellor.

ABSTRACT OF TREASURER'S REPORT.

FROM AUGUST 1, 1867, TO JULY 31, 1868,

INCOME.

From State Treasurer for Indigent Maimed Soldiers.....	\$24,346.00
From State Treasurer for College.....	12,000.00
“ “ “ Terrell Endowment....	1,370.00
“ “ “ Rents.....	1,300.00
“ “ “ Tuition.....	14,940.36
Cash balance at last Annual Report.....	411.79
	<hr/>
	\$30,024.15

EXPENDITURES :

For Indigent Maimed Soldiers.....	\$24,345.00
For Salaries.....	16,100.00
Refunded Tuition.....	150.00
Advertising and Printing.....	590.63
Old Debts.....	1,100.74
New Bell.....	200.43
Books and Stationery.....	168.96
Insurance.....	352.50
Music at Commencement.....	100.00
Medals for Prizes.....	40.00
Servants' hire.....	175.00
Post office.....	60.96
Chairs for Chapel.....	300.00
Improvements in Museum.....	189.00
Brick.....	126.00
Repairs and Materials.....	798.01
Freights, Incidentals, etc.....	521.83
Cash balance.....	9,048.09
	<hr/>
	\$30,022.15

W. L. MITCHELL,
Treasurer of the University of Georgia.

UNIVERSITY OF GEORGIA,

ATHENS, August 18, 1868.

His Excellency, RUFUS B. BULLOCK :

DEAR SIR :—I have the honor to present, on the foregoing page an abstract of my reports as Treasurer of this Institution. I make two reports to the Board, separate and

distinct, one embracing the expenditures on account of the education of indigent maimed soldiers, and the other on account of the University proper in the administration of its ordinary income.

You will observe that our income from the State, in consequence of your considerate forethought, includes the income accruing for the last half of the year 1868, and gives a cash balance of \$9,048 09, which has enabled our Board to add the additional Professors contemplated a year ago, and to feel assured of your Excellency's continued appreciation of this department of our State's public interests.

The promptness, also, with which your Excellency responded to the wants of those students known as "Indigent maimed soldiers," by drawing your warrant in their behalf, though not yet paid, is highly appreciated, and is looked for as soon as funds are in your Treasury.

I remain, very respectfully, your obedient servant,

W. L. MITCHELL,

Treasurer.

The Senate then took up the message of his Excellency, the Governor, submitting to the General Assembly, the report of the Board of Trustees and Treasurer, of the University of Georgia. The reports were read, and on motion of Mr Candler, referred to the Committee on Education.

The following bills were introduced and severally read the first time, to-wit :

By Mr. Wooten, a bill to amend the arbitration laws of this State so as to expedite the trial of cases and for other purposes.

Also, a bill to provide for the payment of costs in insolvent criminal cases in certain counties therein mentioned.

By Mr. McArthur, a bill for the relief of Andrew Gay, of Emanuel county, Georgia.

Also, a bill to fix the salary of the clerk in the office of Secretary of State.

By Mr. Hicks, a bill to create a new Judicial Circuit, and to fix the time of holding the Courts for the same.

Also, a bill to change the line between the counties of Washington and Johnson.

By Mr. Lester, a bill to provide for the manner and time of hearing and determining causes by writ of *quo warranto*

By Mr. Jones, a bill to change the terms of the Superior Court for the county of Macon.

By Mr. Anderson, a bill for the relief of Daniel Sanders Ezekiel Mathews and Young Johnson, of Crawford county

By Mr. Hinton, a bill to provide for the payment of the indebtedness of the people of Georgia.

By Mr. Winn, a bill declaratory of the disability of freedmen to hold office in this State, and for other purposes.

By Mr. Smith, of the 36th District, a bill to authorize the several Judges of the Superior and District Courts of this State to pay Attorneys appointed by them to defend persons charged with crime under certain circumstances.

By Mr. Merrill, a bill for the relief of Davis P. Vickory, of Coweta county.

Also, a bill to lay out and organize a new county from the counties of Campbell, Fayette and Coweta, to add a portion of Campbell county to the county of Coweta, and for other purposes therein mentioned.

By Mr. Holcombe, a bill for the relief of William Rogers, and the estate of Robert Rogers, deceased, of Milton county, Georgia.

Mr. Bowers offered the following resolution, which was adopted, to-wit :

Resolved, That the Secretary of the Senate, be and he is hereby authorized to employ three Clerks in addition to those now employed.

Mr. Winn offered the following resolution, to-wit :

Resolved, That T. G. Campbell, sitting as Senator for the Second Senatorial District, and George Wallace sitting as Senator for the Twentieth Senatorial District, be and they are hereby declared ineligible to seats, on the ground, that they are persons of color, and not eligible to office by the Constitution and laws of Georgia, nor by the Constitution or laws of the United States.

After debate, Mr. Candler moved to take up the resolution, and make it the special order for Wednesday morning next, which was not agreed to. (Mr. Harris in the Chair.)

After debate, Mr. Holcombe moved to take up the resolution.

Before putting the question upon the motion to take up the resolution, the Chair stated that a two-thirds would be required to take up the same, as the question of eligibility, had been once decided by the Senate.

Mr. Holcombe then appealed from the decision of the Chair, whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adkins,
Campbell,
Colman,

Higbee,
Jones,
Sherman,

Wallace,
Welch.

Those voting in the negative, are Messrs :

Anderson,	Griffin, 21st Dist.	McArthur,
Bowers,	Hicks,	Moore,
Brock,	Hinton,	Nunnally,
Burns,	Holcombe,	Smith, 7th Dist.,
Collier,	Hungerford,	Smith, 36th Dist.,
Fain,	Jordan,	Wellborn,
Graham,	Lester,	Winn,
Griffin, 6th Dist.,	Merrill,	Wooten.

Yeas, 8 ; nays, 24. So the decision of the Chair was not sustained.

Mr. Smith, of the 7th District, then moved to take up the resolution, which was agreed to.

Mr. Speer, offered the following as a substitute, to-wit :

Resolved, That a special committee, consisting of Messrs. Burns, Hinton, Candler, Smith of the 7th District, and Jordan, be appointed to inquire into the eligibility of Senators on this floor, who were elected by colored voters, and that they be required to report at as early a day as practicable.

Mr. Holcombe, moved to make the original and the substitute, the special order for Friday, immediately after the reading of the journal.

Mr. Griffin, of the 21st District, moved to insert Thursday.

Mr. Stringer, moved to amend by inserting Monday, which was not agreed to.

The question was then put on the motion of Mr. Holcombe, which was agreed to.

Mr. Wooten, offered the following resolution, to-wit :

Whereas, a question has been made as to the time of the expiration of the terms of office of the Judges of the Supreme and Superior Courts, and Solicitors General, of this State, who were in office at the date of the late inauguration of his Excellency the Governor ; and *whereas*, it is important for many purposes that this question should be settled ; be it therefore,

Resolved, That the Senate and House of Representatives of the State of Georgia, in General Assembly convened, do declare that the Judges of the Supreme and Superior Courts, and the Solicitors General of this State, who were in office at the date of the said inauguration, continue therein, and that they are entitled to receive pay as such, up to the time of the appointment and qualification of their successors.

Mr. Wooten, moved to take up the resolution, pending the consideration of which, the hour having arrived, the President announced the Senate adjourned until to-morrow morning at 9 o'clock.

SENATE CHAMBER,
ATLANTA, GEORGIA,

TUESDAY, September 8th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Bowers, Honorable Senator from the 1st District.

The roll was called, and the Journal of the previous day read and approved.

The following bills were taken up and severally read the second time and referred to the Judiciary Committee, to-wit:

A bill to aid and encourage the enforcement of the laws.

A bill to amend section 3604th, of the Revised Code.

A bill to amend section 1963d, paragraph 3d, of Revised Code.

A bill for the relief of Hamlin Hudgens, and ———, of DeKalb county, securities on the bond of John Hudgens, indicted at the March term, 1865, of the Superior Court of Winnett county, Georgia, for larceny.

A bill to define the duties of the Attorney General of this State, to provide a salary for the same, and to require him to reside, and hold his office at the seat of government.

A bill to give to persons who may be employees in and about any steam saw mill, located in the State of Georgia, or any person or persons, who may furnish any steam saw mill so located, with timber, saw-logs, or provisions, or with any thing necessary to carry on the work of said mill, a lien of the highest dignity upon said mill for dues, wages, debts and demands, that he or she, or they may have against the owner, agent, or lessee of said mill.

A bill to fix the salaries of the Judges of the District Court, and District Attorneys.

A bill to authorize confession of judgment in certain cases, and to regulate the same.

The following bills were taken up, severally read the second time, and referred to the Committee of the Whole, to-wit:

A bill to incorporate an insurance company in the city of Macon, Georgia, to be called the Cotton States' Life Insurance Company.

A bill declaratory of the disability of freedmen to hold office in this State, and for other purposes.

The following bill was read the second time and referred to the Committee on Education, to-wit:

A bill to repeal an act assented to December 18th, 1866, to educate the indigent maimed soldiers of Georgia.

The Senate then took up the special order for the day, the same being the bill for setting apart a homestead of realty, etc.

The Judiciary Committee to whom this bill was referred, recommend that the same be passed with the following amendments, to-wit:

To amend section second, by striking out all after the words "shall make," to the words "shall apply," and insert the following, "application in writing to the Ordinary of the county of his residence, setting forth a schedule of all his personal property, particularly describing the same, including money and debts, owing to said applicant, with a statement of the value of each article, designating those which he claims as exempt from levy and sale, which schedule shall be sworn to by the applicant, or verified by other proof."

Also, to amend the 6th section, by inserting after the word "desire," in the first line, the words "to object to said schedule for want of sufficiency, and fullness, or for fraud of any kind or."

Also, to add the following at the end of section six, to-wit "provided that either party dissatisfied with the judgment shall have the right to appeal under the same rules, regulations, and restrictions as are provided by law in cases of appeal, from the Court of Ordinary."

Also, to fill the blank in the fourteenth section with the words "first day of March."

Also, to amend section fourteen, by striking out the words, "without regard to the time when said contracts were made, or obligations assumed."

On motion of Mr. Speer, the bill was taken up by sections.

On motion of Mr. Candler, the first section was taken up and adopted.

Section second, was then taken up, and upon the question "shall the report of the committee, on section second as amended, be agreed to," the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs.

Adkins,	Colman,	Hungerford,
Anderson,	Collier,	Lester,
Bowers,	Corbitt,	Merrill,
Brock,	Fain,	Moore,
Burns,	Graham,	Nesbitt,
Campbell,	Griffin, 6th Dist.	Richardson,
Candler,	Hicks,	Sherman,

Smith, 36th Dist.	Wallace,	Welch,
Speer,	Wellborn,	Wooten.
Stringer,		

Those voting in the negative are, Messrs.

Griffin, 21st Dist.	Jones,	McWhorter,
Harris,	Jordan,	Winn.
Holcombe,		

Yeas 28; nays 7 So the report of the committee on section second as amended, was agreed to.

The question then recurred upon the adoption of section second as amended, and the same as amended, was adopted.

Sections three, four, and five, were then taken up and adopted.

Section six, was next taken up, the report of the committee agreed to and the section as amended, was adopted.

Sections seven, eight, nine, ten, eleven, twelve and thirteen, were taken up and adopted.

Section fourteen, was then taken up. Mr. Winn, moved to strike out the same.

After debate, Mr. Adkins, offered the following amendment, to come in after the words "made or assumed," "and the homestead may be laid off at any time after levy by the plaintiff in execution at defendant's expense."

After debate, Mr. Merrill, called for the previous question on the motion of Mr. Winn, which call was sustained.

The main question was then ordered upon the motion to strike out section fourteen, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs.

Bowers,	Harris,	Nunnally,
Brock,	Holcombe,	Richardson,
Campbell,	Hungerford,	Sherman,
Colman,	Jones,	Smith, 36th Dist.,
Corbitt,	Jordan,	Speer,
Griffin, 6th Dist.,	McWhorter,	Winn.
Griffin, 21st Dist.,	Nesbitt,	

Those voting in the negative are, Messrs.

Anderson,	Graham,	Moore,
Burns,	Hicks,	Smith, 7th Dist.,
Candler,	Lester,	Stringer,
Collier,	Merrill,	Wellborn,
Fain,	McArthur,	Wooten.

Yeas 20, nays 15. So section fourteen was stricken out.

Sections fifteen and sixteen, were then taken up and adopted.

The question was next put upon the passage of the bill as amended, and the bill as amended was passed.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives have passed the following bill, to-wit:

A bill to be entitled an act to provide for the election of a board of commissioners for the management, control and government of the Western and Atlantic Railroad, to prescribe the qualifications of the Superintendent of the Western and Atlantic Railroad, and for other purposes.

On motion the rules were suspended, and the Committee on Internal Improvement made the following report:

Mr. President: The Committee on Internal Improvement ask leave to make the following report:

The bill to incorporate the "Turtle River and Scriven Railroad Company," they recommend do pass, after striking out the three last lines of the 2d section.

A portion of your committee would recommend the passage of the bill to exempt from taxation all foreign capital invested in this State, in the manufacture of cotton, woolen and other fibrous material upon a proper case made, stating location, the amount of capital to be used, and stating the name of the corporation, etc. The committee are of the opinion, that a general bill upon the subject, would open a door to fraud upon the people of this State, and therefore recommend that the bill in its present shape do pass.

The committee recommend the passage of the bill to increase the capital stock, and define the powers of the Georgia Railroad Banking Company; they also recommend the passage of the bill to amend the charter of the Macon and Augusta, Railroad.

A bill to incorporate the Georgia Steam Navigation Company, for the transportation of passengers, etc., they recommend do not pass.

A bill to authorize the Georgia Railroad and Banking Company, to extend their road, and to authorize the Governor, to subscribe a certain amount of stock thereto, your committee recommend do not pass, on account of constitutional prohibitions, which prevent the State from becoming a stockholder in any corporate company.

The bill to loan the credit of the State, to the South Georgia and Florida Railroad Company, and the Macon and Augusta Railroad Company, brought before the committee

the question of "State aid;" and your committee were unanimous in the opinion, that the present unsettled political condition of the State, with an almost exhausted treasury, would not justify your committee in recommending "State aid."

Upon investigation, the number of bills already introduced into the Legislature, asking "State aid" would, if granted, involve the State of Georgia, three million two hundred thousand dollars, which in the opinion of your committee, would depreciate the credit of the State, to an injurious extent.

Your committee were satisfied, that some of the railroads asking for the aid of the State, were meritorious, and therefore do not report against the bills; but would suggest that they, with such others of like character as may be brought before this body, be laid over until the next session of the Legislature.

A. D. NUNNALLY,
Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have passed the following bill, to-wit:

A bill to be entitled an act to compel the collection of the unpaid tax due for the year 1867

On, motion the rules were suspended, and the Special Committee, to whom was referred the duty to inquire of the State Librarian, and ascertain the number of Hines' Legal Forms now in the State Library, made the following report:

Mr. President: The Special Committee, beg leave to report that the State Librarian informs your committee that there is not a dozen copies of "Hines' Legal Forms," in the State Library.

Your committee would therefore recommend that the bill providing for the purchase and distribution of said work, do pass.

F. O. WELCH,
Chairman.

On motion of Mr. Speer, the rules were suspended, and the Senate took up the bill to incorporate the Macon Street Railroad Company.

Mr. Hungerford, moved that fifty copies be printed for the use of the Senate.

After debate, Mr. Speer, called for the previous question, which being sustained, the main question was ordered upon the motion to print fifty copies of the bill, which was lost.

The report of the committee was agreed to, the bill read the third time and passed.

On motion of Mr. Stringer, the Senate adjourned until to-morrow morning at 9 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

WEDNESDAY, September 9th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Smith, Honorable Senator from the 7th district.

The roll was called and the Journal of the previous day read and approved.

Mr. Holcombe, in conformity with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill for setting apart a homestead of realty, etc.

After debate, Mr. Nunnally called for the previous question, which being sustained, the main question was ordered upon the motion of Mr. Holcombe, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adkins,	Higbee,	Richardson,
Campbell,	Holcombe,	Sherman,
Corbitt,	Hungerford,	Smith, 7th District,
Graham,	Jones,	Smith, 36th Dist.,
Griffin, 6th District,	Jordan,	Speer,
Griffin, 21st District,	McArthur,	Winn.
Harris,	McWhorter,	

Those voting in the negative, are Messrs :

Anderson,	Collier,	Nisbet,
Bowers,	Fain,	Nunnally,
Brock,	Hinton,	Stringer,
Burns,	Lester,	Wellborn.
Candler,	Merrill,	Welch,
Colman,	Moore,	Wooten.

Yeas 20 ; nays 18. So the motion to reconsider prevailed.

Mr. Holcombe then offered the following as a substitute, to-wit :

SECTION 1. *Be it enacted by authority of the General Assembly of this State, etc.,* That each head of a family, or guardian, or trustee of a family of minor children, shall be entitled to a homestead of realty to the value of two thousand dollars in specie, and personal property to the value of one thousand dollars in specie, both to be valued at the time they are set apart; and no court or ministerial officer in this State shall ever have jurisdiction or authority to enforce any judgment, decree or execution, against said property so set apart, including such improvements as may be made thereon from time to time, except for taxes, money borrowed and expended in the improvement of the homestead, or for the purchase money of the same, and for labor done thereon, or material furnished therefor, or removal of encumbrances thereon.

SEC. 2. It shall be the duty of the Ordinary of each county in this State, as soon as practicable after the passage of this act, to appoint two fit and proper persons, with the County Surveyor, to act as appraisers, for the setting apart and appraising of the homestead to which each head of a family, or guardian of minor children, is entitled by the above 7th article of the Constitution; the expenses to be paid by the person applying to have the homestead set apart.

SEC. 3. Upon the application of any person to the Ordinary of the county in which he or she may reside, it shall be his duty to issue a notice to the County Surveyor, and other persons appointed for setting apart homesteads, to attend at a specified time, at the place where it is to be laid off, for the purpose of making the survey and appraisalment of the realty and personal property allowed by the Constitution to each head of a family, or guardian of minor children, and for the setting apart of the same, a schedule of which shall be filed with the Ordinary, and by him recorded in a book to be kept for that purpose.

SEC. 4. If a debtor owns town property exceeding in value the sum of two thousand dollars, in specie value, in realty to which he is entitled by this act and the Constitution, and it cannot be so divided as to give the family the amount of the homestead, he may give notice to the officer levying thereon, and when the proceeds of the sale are to be distributed, the court shall order two thousand dollars in specie, of the same, to be invested by some proper person, under the direction of the family, for their use and benefit, with the one thousand dollars worth, in specie, of personalty to which they are entitled under this law and the Constitution.

SEC. 5. If, from any cause, the land exempt has not been laid off when the remainder is offered for sale, notice being

given of the fact, the purchaser will buy subject to the incumbrance.

SEC. 6. Any officer knowingly levying on or selling any property of a debtor, exempt under this law, a schedule of which has been returned, as required, is guilty of a trespass, and suit may be brought therefor in the name of the wife or family of the debtor, and the recovery shall be for their exclusive use.

The substitute was then taken up, and Mr. Hinton moved that fifty copies of the bill as passed, and the substitute as offered by Mr. Holcombe, be printed for the use of the Senate, which was not agreed to.

After debate, Mr. Wellborn moved that the original and the substitute be re-referred to the Committee on the Judiciary, which motion was lost.

The question was then ordered upon the adoption of the substitute, which was not agreed to.

Mr. Harris moved to amend the bill by striking out the amendment to section second.

After debate, Mr. Speer called for the previous question, which being sustained, the main question was ordered upon the motion of Mr. Harris, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adkins,	Higbee,	Richardson,
Burns,	Holcombe,	Sherman,
Campbell,	Jones,	Smith, 7th Dist.,
Corbitt,	Jordan,	Smith, 36th Dist.,
Griffin, 6th Dist.,	McWhorter,	Speer,
Griffin, 21st Dist.,	Nestitt,	Winn.
Harris,	Nunnally,	

Those voting in the negative, are Messrs:

Anderson,	Fain,	McArthur,
Bowers,	Graham,	Moore,
Brock,	Hinton,	Stringer,
Candler,	Hungerford,	Wellborn.
Colman,	Lester,	Welch,
Collier,	Merrill,	Wooten.

Yeas 20; nay 18. So the amendment to section second was stricken out.

The question was then put upon the passage of the bill as amended, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Brock,	Higbee,	Richardson,
Burns,	Holcombe,	Sherman,
Campbell,	Jones,	Smith, 7th Dist.,
Colman,	Jordan,	Smith, 36th Dist.,
Corbitt,	Merrill,	Speer,
Griffin, 6th Dist.,	McWhorter,	Welch,
Griffin, 21st Dist.,	Nesbitt,	Winn.
Harris,	Nunnally,	

Those voting in the negative, are Messrs :

Anderson,	Graham,	Moore,
Bowers,	Hinton,	Stringer,
Candler,	Hungerford,	Wellborn,
Collier,	Lester,	Wooten.
Fain,	McArthur,	

Yeas 23 ; nays 14. So the bill, as amended, was passed.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk :

Mr. President:—The House of Representatives have passed the following bills, to-wit :

A bill to be entitled an act to empower R. T. Massey to sell the real estate of E. M. Edwards, deceased, on the premises.

Also, a bill to be entitled an act to charter the Georgia Mutual Fire and Life Insurance Company.

Also, a bill to be entitled an act to incorporate the town of Kingston, in the county of Bartow, to appoint Commissioners for the same, and for other purposes.

Also, a bill to be entitled an act to authorize the Macon and Brunswick Railroad Company to extend a branch of said railroad from the town of Hawkinsville, in Pulaski county, to the town of Fort Valley, in the county of Houston.

The Committee on Agriculture and Manufactures made the following report :

Mr. President:—The Committee on Agriculture and Manufactures, to whom was referred the memorial from Joseph Elsas, of the county of Cobb, asking assistance, etc., for emigrants from Europe, having had the same under consideration, report it back without recommendation.

They recommend that the bill to incorporate the Schofield Rolling Mill Company do pass.

A. W. HOLCOMBE,
Chairman.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President :—The Committee on Enrollment report as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following act, to-wit :

An act to reorganize the municipal government of the city of Augusta.

E. I. HIGBEE,

Chairman.

Mr. Merrill, from the Committee on the Judiciary, made the following report :

Mr. President :—The Committee on the Judiciary, to whom was referred a bill to exempt certain persons from jury duty, who are members of fire companies in the city of Albany, have had the same under consideration, and propose to amend the first section by striking out the word “sixty,” and inserting the words “twenty-five;” also, to strike out the proviso in the same section, and insert the following as a section, to be known as section 2d, to-wit :

“*And be it further enacted*, That, to authorize the exemptions provided in the first section of this act, it shall be necessary for the chief or foreman of each of said companies to furnish to the Clerk of the Superior Court of the county of Dougherty, semi-annually, a list of the members of their respective companies, for whom this exemption is provided, and no other members of said companies shall be exempt from jury duty than those on said lists.” And with these amendments, they recommend the same do pass.

A bill to aid and encourage the enforcement of the laws, which they recommend do pass.

Also, a bill to amend sections 3604 of the Code, which they recommend do pass.

Also, a resolution to authorize the acceptance of the charter of the Bank of Savannah, which they recommend do pass.

Also, a bill to define the duties of the Attorney General of this State, to provide a salary for the same, and to require him to reside and hold his office at the seat of government, which they recommend do not pass.

Also, a bill for the relief of Hamlin Hudgins, which they recommend do not pass.

W W MERRILL,

Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk :

Mr. President : The House of Representatives have passed the following bill of the Senate, to-wit :

A bill to be entitled an act to establish the City Court of Atlanta.

The Committee on the Lunatic Asylum made the following report :

Mr. President:—Your committee, who were appointed to visit and examine into the present condition and management of, as well as the wants and requirements of the Lunatic Asylum, have performed that duty, and beg leave respectfully to submit the following

REPORT :

In none of the relations of life, perhaps, where men are called upon to discharge important duties, can there be one fraught with so vast an amount of interest and Christian philanthropy as the one which has devolved upon your committee in relation to this unfortunate class of our people, who are bereft of reason, and wholly incapacitated in any of the social relations of life which constitute a happy people. At one time the history of this unfortunate class of our people presented nothing but bars, bolts and chains, shut out from the social relations of life, without even one kind word or look to still their troubled and turbulent spirits, often denied the common charities of life, and none even to sympathize with them amid the gloom which surrounded them ; it cannot, it ought not, to be a matter of surprise that few are ever cured by such treatment ; but a very large majority remained in this condition until death terminated their unhappy existence.

But your committee are happy in saying to the people of the great State of Georgia that arrangements have been made by which this class of her unfortunate citizens are kindly cared for.

An institution has been created by the liberality of your State which is, perhaps, co-equal with that of any other State in the Union, but, we regret to say, not sufficient to meet the demands of this unfortunate class of our fellow-beings. We felt it a duty incumbent upon us, which we believed to be due this class of persons, as well as to the future interests of the State, to examine closely into the internal workings of the institution. We hope that duty has been performed in a manner that may be acceptable to the Legislature.

The people of Georgia are deeply interested in this most charitable and Christian work. We urge upon your honorable body the necessity of making such liberal appropriations, at the proper time, as will meet all necessary expenditures for the comfort and care of the patients.

We cannot close this report without giving our most hearty attestation to the successful management of the insti-

tution through the benign, Christian, and indefatigable exertions of Dr. Thomas F Green. His age and long experience, not to mention his indisputable qualifications for the position he occupies, must satisfy every one who visits the Asylum that his place cannot be easily filled.

Your committee cannot omit noticing, in the most favorable light, the able assistant principal, Dr. T. O. Powell. His moral character, his amiable traits and gentlemanly conduct, pre-eminently qualify him for the position he occupies. With such men controlling the institution, your committee have no hesitation in saying that it will meet the most sanguine expectations of the people of Georgia, and be productive of indescribable good to those who are its beneficiaries. Your committee have agreed, and do respectfully recommend to the General Assembly, that they appropriate the following named amounts, asked for by the Superintendent, believing the same absolutely required for the support of the institution:

Balance salary due Superintendent and Resident	
Physician.....	\$1,250 00
Quartermaster of Treasurer, sub-officers, attendants and servants, due October 1st, 1868, and Jan- uary 1st, 1869.....	8,000 00
For support of pauper patients, and payments of unsettled accounts.....	22,000 00
For indispensable repairs of immediate necessity...	1,000 00

The committee, in viewing the pressing wants of the institution, recommend that the above appropriations be made, the same being considered of imperative necessity, for meeting the debts due by the institution, for the comfort of the inmates, and for the immediate repairs of the buildings, to preserve them from dilapidation. Much larger appropriations are required to meet the wants of this institution. An enlargement and increase of buildings are now and will be absolutely necessary to accommodate the constant increase of the applications that are being made to receive and accommodate subjects in the institution, but the condition of the treasury has prevented your committee from asking larger appropriations than are necessary to meet the absolute wants of the institution.

W. C. SMITH, Chairman,
WALTER T. McARTHUR,
R. T. NESBITT,
JOHN HARRIS,
W. W. MERRILL,
WM. GRIFFIN,
H. HICKS.

On motion of Mr. Speer, the report was laid upon the table for the present, and the Secretary directed to have fifty copies printed for the use of the Senate.

On motion of Mr. Smith, of the 7th District, the rules were suspended, and the Senate took up the following bills, to-wit:

A bill to provide for education, and to establish a general system of common schools.

Also, a bill constituting the Governor of this State, the State School Commissioner, the Attorney General, the President of the Senate, the Speaker of the House of Representatives, and the Chairman of Standing Committees on Education, in both branches of the General Assembly, a board to be denominated the Georgia State Board of Education.

Mr. Speer, moved to refer both bills to the Committee on Education, without reading, which was agreed to.

On motion of Mr. Lester, the rules were suspended, and the following bill was taken up and read the second time, and referred to the Committee on Internal Improvements, to-wit:

A bill to amend the charter of the Savannah, Skidaway and Seaboard Railroad Company, and for other purposes.

The following bills were introduced, and severally read the first time, to-wit:

By Mr. Smith, of the 36th District, a bill to alter and amend the 4487th section of Irwin's Code.

By Mr. Speer, a bill to exempt lawyers and physicians from the levy and collection of a specific tax.

Also, a bill to repeal section 897 of the Code, which exempts from levy and sale for taxes, property exempted from levy and sale ordinarily.

By Mr. Campbell, a bill to reduce the bond of the Sheriff, in the county of McIntosh.

By Mr. Nesbitt, a bill to change the lines between the counties of Calhoun and Early.

By Mr. Lester, a bill to alter and amend the laws upon the subject of divorce.

By Mr. Jones, a bill to change the county line between the counties of Macon and Sumter.

Also, a bill to fix the salaries of justices of the peace, notaries public, bailiffs and constables.

By Mr. McArthur, a bill to increase the bond of the Treasurer of the State of Georgia, to the sum of five hundred thousand dollars.

By Mr. Higbee, a bill to establish a State police.

By Mr. Fain, a bill to expedite the trial of causes in the Superior Courts of the State, in which the judges upon the bench may have an interest.

By Mr. Harris, a bill for the relief of securities and endorsers.

The following bills of the House of Representatives, were taken up and severally read the first time, to-wit :

A bill to authorize the Macon and Brunswick Railroad Company, to extend a branch of said railroad from the town of Hawkinsville, in Pulaski county, to the town of Fort Valley, in the county of Houston.

A bill to empower R. T. Massey, to sell the real estate of E. M. Edwards, deceased, on the premises.

A bill to compel the collection of the unpaid tax due, for the year 1867.

A bill to provide for the election of a board of commissioners for the management, control, and government of the Western and Atlantic Railroad, to prescribe the qualifications of the Superintendent of the Western and Atlantic Railroad, and for other purposes.

On motion, leave of absence was granted to Senator Merrill, for a few days after to-morrow ; also to Senators Hungerford, Sherman, and Stringer, for a few days from to-day.

The reading of House bills was resumed, and the following bills severally read the first time, to-wit :

A bill to incorporate the town of Kingston, in the county of Bartow, to appoint commissioners for the same, and for other purposes.

A bill to charter the Georgia Mutual Fire and Life Insurance Company.

Mr. McArthur, offered the following resolution, to-wit :

Whereas, The State of Georgia, is a large stockholder in the Atlantic and Gulf Railroad Company ; therefore be it,

Resolved by the General Assembly of the State of Georgia, That his Excellency the Governor, be authorized and required to appoint three fit and proper persons, to represent the stock of the State of Georgia, in the elections of said company, who shall hold their appointments until the Legislature shall otherwise direct.

On motion of Mr. Candler, the resolution was referred to the Committee on the Judiciary.

On motion of Mr. Hungerford, the rules were suspended, and the Senate took up the bill to incorporate the Schofield Rolling Mill Company.

The report of the Committee was agreed to, the bill read the third time and passed.

On motion of Mr. Winn, the Senate took up the bill declaratory of the disability of freedmen to hold office in this State, and for other purposes.

Mr. Winn, moved to make the bill the special order for to-morrow morning at ten o'clock.

Mr. Adkins, moved to amend, by postponing the bill to an indefinite time, pending the consideration of which, the hour having arrived, the President announced the Senate adjourned until to-morrow morning at 9 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

THURSDAY, September 10th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Griffin, Honorable Senator from the 21st District.

The roll was called, and the Journal of the previous day read and approved.

Mr. Bowers, from the Committee on Internal Improvements, made the following report:

Mr. President: The undersigned member of the Committee on Internal Improvements, to whom was referred a bill entitled an act to amend the charter of the Georgia Air Line Railroad, in dissenting from the report of the majority of the committee, so far as the same relates to the subject of the State lending its aid to railroads, begs leave to submit the following as reasons why the suggestions of the majority of the committee on this subject, should not be adopted by this body. The recommendation of the majority of the committee is general, and applies to all applications for State aid. The minority would respectfully suggest that the safeguards provided by the Constitution, are ample and sufficient to protect the State against loss or injury in all cases where it may lend its aid to a meritorious road, and that while it may be impolitic to engage extensively and indiscriminately in these railroad projects, that there are roads to which the State should lend its aid, and in doing which it will insure the development of important sections of the State which will greatly increase its aggregate wealth. The undersigned would respectfully suggest that the Air Line Railroad is one to which the State should lend its aid, this being a road of primary importance to the people of the State, and one the completion of which will add immensely to the aggregate wealth of the State, and afford facilities to a large portion of

the citizens of this State, who have heretofore been denied them. All of which is respectfully submitted.

W. F. BOWERS.

Mr. McCutchen, presented petitions from citizens of Walker county, which were read and referred to the Committee on Petitions.

Mr. Fain, Chairman of the Committee on Petitions, made the following report :

Mr. President: The Committee on Petitions to whom was referred a bill to be entitled an act to relieve Wm. F. Attaway, of Hart county, Georgia, from liability as security on bond, have had the same under consideration, and recommend that it do pass with the following amendment: strike out "nol pros" and insert "cancel."

Also, a bill to be entitled an act for the relief of G. L. Roberts, and Rebecca Mathis, of the county of Union, from the payment of a certain bond therein specified, which they recommend do pass.

Your committee, while it recommends that the above stated bills pass, do so because they are extreme and meritorious cases, but are of the opinion that none others except those extreme cases which seldom occur, should receive the favorable consideration of the General Assembly, on account of the vast number of bills of this character which would be introduced, and which would consume time and obstruct legislation on more important subjects.

Mr. Merrill, moved to suspend the rules for the purpose of introducing a resolution, proposing an early day for the adjournment of the General Assembly, which was not agreed to.

The Senate then took up the following bills of the House of Representatives, which were severally read the second time, to-wit:

A bill to change the time of holding the Superior Courts for the counties of Catoosa and Cherokee. Referred to the Committee on the Judiciary.

A bill to create in the several counties in this State, a Board of Commissioners, of roads and revenue. Referred to the Committee of the Whole.

A bill to alter and amend an act to incorporate the University at Midway, assented to December 21st, 1865. Referred to the Committee on Education.

A bill to change the line between the counties of Henry, and Clayton. Referred to the Committee on New Counties and County Lines.

A bill to consolidate and amend the several acts incorpo-

ating the town of Lumpkin, county of Stewart, and to grant certain privileges to the same. Referred to the Committee of the Whole.

A bill to change the lines between the counties of Greene and Taliaferro. Referred to the Committee on New Counties and County Lines.

On motion of Mr. Holcombe, the rules were suspended, and the Senate took up the House bill "to loan the credit of the State, to the Georgia Air Line Railroad Company," and for other purposes.

The bill was read the first time.

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit:

Mr. President: The Governor has signed the following resolution, to-wit:

"A resolution requesting the Governor to prohibit armed and unlawful assemblages."

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have passed the following bills, to-wit:

A bill to be entitled an act to appropriate money for the institution for the Deaf and Dumb, and for other purposes.

Also, a bill to be entitled an act to loan the credit of the State, to the Georgia Air Line Railroad Company, and for other purposes.

The reading of bills was resumed, and the following taken up and severally read the second time, to-wit:

A bill to amend 3174th section of Irwin's Code, as relates to the county of Lowndes. Referred to the Committee of the Whole.

A bill to incorporate the Georgia Mutual Life Insurance Company. Referred to the Committee of the Whole.

A bill to change the line between the counties of Taylor and Macon. Referred to the Committee of the Whole.

A bill to change the line between the counties of Clinch and Coffee. Referred to the Committee of the Whole.

A bill to exempt maimed men of this State, from paying poll tax. Referred to the Committee on the Judiciary.

A bill to incorporate the town of Trion, in the county of Chattooga. Referred to the Committee of the Whole.

A bill to grant certain rights and privileges to the Metropolitan Steam Fire Engine Company in the city of Savannah. Referred to the Committee of the Whole.

A bill to deprive the Mayor and Marshal of the town of

Valdosta, of Lowndes county, of any and all fees, and to fix their salaries. Referred to the Committee of the Whole.

A bill to relieve Wm. S. Moughon, of the county of Bibb, from double tax on his Dougherty county plantation, for the year 1867. Referred to the Committee on the Judiciary.

A bill to authorize Thomas K. McDonald, the present Clerk elect, of the Superior Court of Whitfield county, to practice law, in counties other than Whitfield. Referred to the Committee of the Whole.

A bill to incorporate Cedar Town. Referred to the Committee of the Whole.

A bill to incorporate the Brunswick Street Railroad Company. Referred to the Committee on Internal Improvements.

A bill to incorporate the Citizens' Bank, at Dalton, Georgia, and to define the privileges of said incorporation. Referred to the Committee on the Judiciary.

A bill to change the law of evidence. Referred to the Judiciary Committee.

A bill to consolidate the offices of Receiver of Tax Returns and Tax Collector, for the county of Charlton. Referred to the Committee on the Judiciary.

A bill to prohibit the sale of spirituous liquor on election days. Referred to the Committee on the Judiciary.

A bill to incorporate the town of Colquitt, etc. Referred to the Committee of the Whole.

A bill to provide for the election of Justices of the Peace, and Constables. Referred to the Judiciary Committee.

A bill to amend 2530 and 2531st section of the Code of Georgia, for the benefit of helpless and dependent adult heirs. Referred to the Committee on the Judiciary.

A bill to provide for the election of a Board of Commissioners for the management, control and government of the Western and Atlantic Railroad, to prescribe the qualifications of the Superintendent of the Western and Atlantic Railroad, and for other purposes. Referred to the Committee on the Judiciary.

A bill to authorize the Macon and Brunswick Railroad Company to extend a branch of said Railroad from the town of Hawkinsville, in Pulaski county, to the town of Fort Valley, in the county of Houston. Referred to the Committee of the Whole.

A bill to compel the collection of the unpaid tax due for the year 1867. Referred to the Committee on the Judiciary.

A bill to incorporate the town of Kingston in the county of Bartow, to appoint Commissioners for the same, and for other purposes. Referred to the Committee of the Whole.

A bill to empower R. T. Massey, to sell the real estate of E. M. Edwards on the premises. Referred to the Committee of the Whole.

A bill to charter the Georgia Mutual Fire and Life Insurance Company. Referred to the Committee on the Judiciary.

The following message was received from the House of Representatives, through Mr. Hardin, their clerk.

Mr. President: The House of Representatives have adopted the following resolution, to-wit:

A resolution to authorize the State Treasurer to pay to the members and officers of the General Assembly, all the money in the treasury. Said payment to continue up to the date of adjournment, and if not a sufficiency at that time, to issue a scrip in lieu thereof, which I am directed to transmit forthwith, to the Senate.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report:

Mr. President: The Committee on Enrollment report as duly enrolled, and ready for the signatures of the President of the Senate, and Speaker of the House of Representatives, the following act, to-wit:

An act entitled an act, to establish the City Court of Atlanta.

E. I. HIGBEE,
Chairman.

The following Senate bills were taken up and severally read the second time, to-wit:

A bill for the relief of the Atlanta and West Point and the Macon and Western Railroads. Referred to the Committee of the Whole.

A bill to amend an act to incorporate the Georgia Western Railroad Company. Referred to the Committee on Internal Improvements.

A bill to change the line between the counties of Union and Towns. Referred to the Committee on New Counties and County Lines.

A bill to prevent the digging of Ginseng in this State, before the first day of September, in each and every year, and to provide a penalty therefor. Referred to the Committee of the Whole.

A bill to protect the people of Georgia against the imposition of unskillful practitioners in the practice of medicine. Referred to the Committee of the Whole.

A bill to require the Western and Atlantic Railroad to take up the change bills put in circulation by the superintendent, thereof, under the act assented to on the 17th day

of December, 1861, and for other purposes. Referred to the Finance Committee.

On motion, the rules were suspended, and Mr. Harris presented a petition from B. Zachry, of Fulton county, relating to change bills of the Western and Atlantic Railroad, which was read, and referred to the Committee on Finance.

The rules were further suspended, and Mr. Speer, from the Joint Committee, appointed to examine the calender etc., submitted the following report :

Mr. President : The committee appointed on the part of House to confer with a similar committee, on the part of the Senate, to examine into the business now before each branch of the General Assembly, have discharged the duty assigned them, and beg leave to report that the present state of Senate calendar is as follows :

Senate bills for third reading.....	154
Senate bills for second reading.....	59
Resolutions.....	109
House bills for third reading.....	0
House bills for second reading.....	25
House bills for first reading.....	25
Joint resolutions.....	15

House Calendar is as follows :

House bills for second reading.....	20
House bills for third reading.....	253
House bills postponed for present.....	6
Senate bills for second reading.....	0
Senate bills for third reading.....	7
Senate bills for first reading.....	0
Senate resolutions.....	0
House resolutions.....	73

The committee are of opinion, that by diligent attention to business, all the matter now before the Legislature, can be disposed of by Friday, the 25th inst., and they recommend the adoption of the following resolution :

Resolved, That the General Assembly do adjourn *sine die* at twelve o'clock M., on Friday, the 25th inst.

Senate Committee—THOS. J. SPEER,
A. D. NUNNALLY,
J. H. McWHORTER,

House Committee—WAR. J. HUDSON,
R. W. FLOURNOY,
F. M. SMITH.

The regular order being resumed, the following bills were read the second time, to-wit:

A bill to allow Bird D. Mobley, of the county of Appling, to practice medicine in this State, and to charge for the same. Referred to the Judiciary Committee.

A bill to compel common carriers to provide equal accommodation for passengers without any discrimination, and for other purposes. Referred to the Judiciary Committee.

A bill to grant certain exemptions to Stonewall Fire Engine Company, No. 1. Referred to the Committee of the Whole.

A bill to repeal the last clause of section 584 of the Revised Code of Georgia. Referred to the Committee of the Whole.

A bill to permit A. K. Whitfield, of the county of Decatur, to peddle in this State free of license. Referred to the Committee of the Whole.

A bill to incorporate the Warsaw Mining Company. Referred to the Committee of the Whole.

A bill to incorporate the Chattahoochee Manufacturing Company, and for other purposes. Referred to the Committee on Agriculture and Manufactures.

A bill to provide, that in all cases of garnishment, the claims of the parties moving in said process shall have priority. Referred to the Judiciary Committee.

A bill to establish the mode of elections, and election precincts. Referred to the Committee on Privileges and Elections.

A bill to change the names of William Bess and James Thomas Bess, of Pike county, to William Singleton and James Thomas Singleton, and make them lawful heirs of William W. Singleton, lately deceased, of Pike county, Georgia. Referred to the Committee on the Judiciary.

A bill to amend an act to donate the Okefenokee swamp lands as a permanent endowment to the Georgia Orphans' Home. Referred to the Judiciary Committee.

A bill to prevent the felling of trees or casting in water-courses, and mill or other ponds, any vegetable matter that is subject to decay, and to provide the punishment for the same. Referred to the Committee of the Whole.

A bill to authorize Margaret W. Crew, of the county of Marion, to contract in marriage, and for other purposes. Referred to the Committee of the Whole.

A bill to provide for the payment of costs in insolvent criminal cases, in certain counties therein mentioned. Referred to the Committee on the Judiciary.

A bill creating a new Judicial Circuit, and to fix the time of holding the Courts for the same. Referred to the Committee on the Judiciary.

A bill for the relief of Andrew Gay, of Emanuel county, Georgia. Referred to the Committee of the Whole.

A bill to change the line between the counties of Washington and Johnson. Referred to the Committee on New Counties and County Lines.

A bill to amend the arbitration laws of this State, so as to expedite the trial of cases, and for other purposes. Referred to the Committee on the Judiciary.

A bill to provide for the manner and time of hearing and determining causes by writ of *quo warranto*. Referred to the Committee on the Judiciary.

A bill to repeal section 897 of the Code, which exempts from levy and sale, for taxes, property exempt from levy and sale ordinarily. Referred to the Committee of the Whole.

A bill to alter and amend the laws upon the subject of divorce. Referred to the Committee on the Judiciary.

A bill to fix the salaries of Justices of the Peace, Notaries Public, Bailiffs, and Constables. Referred to the Committee on the Judiciary.

A bill to establish a State Police. Referred to the Committee on the Military.

A bill to increase the bond of the Treasurer of the State of Georgia to the sum of five hundred thousand dollars. Referred to the Committee of the Whole.

A bill to change the county line between the counties of Macon and Sumter. Referred to the Committee on New Counties and County Lines.

A bill to change the line between the counties of Calhoun and Early. Referred to the Committee on New Counties and County Lines.

A bill to reduce the bond of the Sheriff in the county of McIntosh. Referred to the Committee on the Judiciary.

A bill to exempt lawyers and physicians from the levy and collection of a specific tax. Referred to the Committee on the Judiciary.

A bill to alter and amend the 4487th section of Irwin's Code. Referred to the Committee on the Judiciary.

A bill for the Relief of William Rogers, and the estate of Robert Rogers, deceased, of Milton county. Referred to the Committee on the Judiciary.

A bill to lay out and organize a new county out of the counties of Campbell, Fayette and Coweta, to add a portion of Campbell county to the county of Coweta, and for other purposes therein mentioned. Referred to the Committee on New Counties and County Lines.

On motion, the rules were suspended, and Mr. Nunnally offered the following resolution, which was adopted, and, on

motion of Mr. Candler, was referred to the special committee appointed to examine into the calendar, etc., to-wit :

Whereas, a large number of bills have been committed, and some of great importance to the State, and many are not of pressing necessity ; be it, therefore,

Resolved, That a committee of three be appointed to examine said bills, and report such bills to the Senate as in their judgment should be passed at this session of the Legislature, and that the Secretary or one of his clerks be required to meet said committee with the bills which have been so committed.

On motion, the rules were further suspended, and Mr. Fain offered the following resolution, which was adopted, to-wit :

Whereas, the General Assembly has now been in session more than sixty days ; and, *whereas*, it is right and proper that the Legislature should adjourn at an early day ; therefore, be it

Resolved, That from and after the 20th instant, no new matter be introduced in the Senate, except by the consent thereof, in order that the matter now before the Senate may be disposed of before adjournment.

The regular order was then resumed, and the following bills read the second time, to-wit :

A bill to fix the salary of the clerk in the office of Secretary of State. Referred to the Committee on the Judiciary.

A bill to provide for the payment of the indebtedness of the people of Georgia. The bill was committed, and on motion, the Secretary was directed to have fifty copies of the same printed for the use of the Senate.

A bill to change the terms of the Superior Court for the county of Macon. Referred to the Committee on the Judiciary.

A bill to authorize the several Judges of the Superior and District Courts of this State, to pay Attorneys appointed by them to defend persons charged with crime under certain circumstances. Referred to the Committee on the Judiciary.

A bill for the relief of Daniel Sanders, Ezekiel Matthews, and Young Johnson, of the county of Crawford. Referred to the Committee of the Whole.

A bill for the relief of Davis P. Vickory, of the county of Coweta. Referred to the Committee on the Judiciary.

A bill for the relief of securities, and endorsers, and guarantors. Referred to the Committee on the Judiciary.

A bill to expedite the trial of causes in the Superior Courts of the State, in which the judges upon the bench may have an interest. Referred to the Committee of the Whole.

A bill to provide for the payment of teachers of common schools for the year 1868. Referred to the Committee on Education.

A bill to alter and amend section 2519th, of the Revised Code of Georgia, in reference to the sale of lands by executors and administrators. Referred to the Committee on the Judiciary.

A bill to incorporate the Spalding county Life Assurance Society of Georgia. Referred to the Committee of the Whole.

A bill making change in tax digest. Referred to the Committee of the Whole.

A bill to make every citizen of Georgia, incapable of contracting as endorser or as security, except upon the bonds of public officers, guardians, administrators, and other trustees, and upon injunction bonds, forthcoming bonds, bonds to dissolve garnishment, attachment bonds, or other bonds required by law in judicial proceedings. Referred to the Committee on the Judiciary.

A bill to amend the charter of Darien. Referred to the Committee on Petitions

A bill to make more equal the Judicial Circuits of this State. Referred to the Committee on the Judiciary.

A bill to incorporate the White Manufacturing Company, of Elbert county. Referred to the Committee on Agriculture and Manufactures.

A bill to reduce the bonds of the Sheriffs of Appling and Wayne, counties. Referred to the Committee on the Judiciary.

A bill to authorize the Court to render judgments in all civil cases founded on contract, at the first term, unless an issuable defense is made on oath. Referred to the Committee on the Judiciary.

A bill to amend and change the several acts incorporating the town of Thomasville. Referred to the Judiciary Committee.

A bill to alter and change the line between the counties of DeKalb and Henry, so as to include in the county of Henry, the residence of John Calloway. Referred to the Committee of the Whole.

A bill for the relief of A. L. Sutherland, of the county of Whitfield. Referred to the Committee on the Judiciary.

On motion, the rules were suspended, and on motion of Mr. Harris, the Senate took up the resolution of the House, to authorize the State Treasurer to pay to the members and officers of the General Assembly, all the money, etc., in the treasury.

On motion of Mr. Wooten, the resolution was laid upon the table.

On motion the time was extended to perfect the reading of bills the second time.

The following bills were then taken up and read the second time, to-wit:

A bill for the relief of persons whose lands were sold under *tax fi. fas.* for the years 1860 to 1865 inclusive, and to provide for the redemption of the same. Referred to the Committee on the Judiciary.

A bill to regulate judicial sales of real estate. Referred to the Committee on the Judiciary.

On motion, the Senate adjourned until to-morrow morning at 9 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

FRIDAY, September 11th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Smith, Honorable Senator from the 7th District.

The roll was called and the Journal of the previous day read and approved.

Mr. Merrill, from the Judiciary Committee, made the following report :

Mr. President : The Committee on the Judiciary, to whom was referred a bill of the House of Representatives, to change the time of holding the Superior Courts of the counties of Catoosa and Cherokee, have had the same under consideration, and propose to amend by changing the title of the same, by striking out the words "and Cherokee," and add the following: "and Dade, in the Cherokee Circuit:" also, to further amend the title by adding the following: "and the county of Towns, in the Blue Ridge Circuit:" also, by striking out the third section, and insert the following as the third section: "and be it further enacted, that after the next regular term of Dade Superior Court, said court shall be held on the second Monday in May and November, of each year:" also, to add the following as the fourth section, to-wit: "and be it further enacted, that the Superior Courts of the county of Towns, shall hereafter be held on the Monday after the fourth Monday in May and October of each and every year:" and

with these amendments, they recommend that the same do pass.

The committee have had under consideration the following bills of the Senate, which they recommend do not pass, to-wit :

A bill to compel common carriers to provide equal accommodation for passengers, without any discrimination, and for other purposes.

Also, a bill to allow Bird D. Mobly, of the county of Appling, to practice medicine in this State, and to charge for the same.

Also, a bill to provide that in all cases of garnishment the claims of the parties moving in said process shall have priority.

Also, a bill to change the names of William Bess and James Thomas Bess, of Pike county, to William Singleton and James Thomas Singleton, and make them the lawful heirs of William W Singleton, lately deceased, of Pike county, Georgia.

Also, a bill to alter and amend section 2519, of the Revised Code of Georgia, in reference to the sale of lands by executors and administrators.

Also a bill to make every citizen of Georgia incapable of contracting as endorser, or as security, except upon the bonds of public officers, guardians, administrators and other trustees, and upon injunction bonds, forthcoming bonds, bonds to dissolve garnishment.

Also, a bill to regulate Judicial sales of real estate.

Also, a bill to make more equal, the Judicial Circuits of this State.

Also, a bill to amend an act to donate the Okefenokee Swamp Lands, as a permanent endowment to the Georgia Orphans' Home.

Also, a bill to amend and change the several acts incorporating the town of Thomasville.

Also, a bill to provide for the payment of costs in insolvent criminal cases in certain counties therein mentioned, which they report back without recommendation.

Also, a bill to reduce the bonds of the Sheriffs of Appling and Wayne counties, which they recommend do pass.

Also, a bill for the relief of persons whose lands were sold under tax *fi. fas.* for the years 1860 to 1865 inclusive, and to provide for the redemption of the same, which they recommend do pass.

Also, a bill to organize the District Court, define its

jurisdiction, and for other purposes, for which they offer a substitute.

W W MERRILL,
Chairman.

Mr. Smith of the 36th, Chairman of the Committee on New Counties and County Lines, made the following

REPORT :

Mr. President : The Committee on New Counties and County Lines, to whom a bill was referred, "entitled an act to change line between the counties of Union and Towns," have had the same under consideration, and recommend that the same do pass.

Also, a bill entitled an act to change the county line between the counties of Macon and Sumter, which they recommend do pass.

Also, a bill to be entitled an act to change the line between the counties of Washington and Johnson, which they recommend do pass.

Also, a bill to be entitled an act, to change the line between the counties of Calhoun and Early, which they recommend do pass.

Also, a House bill, entitled an act to change the lines between the counties of Green, Hancock and Taliaferro, which they recommend do pass.

Also, a House bill entitled an act to change the line between the counties of Henry and Clayton, which they recommend do pass.

W C. SMITH,
Chairman.

On motion of Mr. McCutchen, the rules were suspended, and the Senate took up the House bill, entitled an act to change the time of holding the Superior Courts for the counties of Catoosa and Walker.

The Judiciary Committee, to whom the bill was referred, proposed to amend by changing the title of the same, by striking out the words "and Cherokee," and "Dade, in the Cherokee Circuit:" also, to further amend the title by adding the following: "and the county of Towns, in the Blue Ridge Circuit:" also, by striking out the third section and insert the following as the third section, in lieu thereof, to-wit: "and be it further enacted, that after the next regular term of Dade Superior Court, said court shall be held on the second Monday in May and November, of each year."

Also, to add the following as the fourth section, to-wit :

and be it further enacted, that the Superior Courts of the county of Towns, shall hereafter be held on the Monday after the fourth Monday in May and October, of each and every year," and with these amendments they recommend that the same do pass.

On motion of Mr. McCutchen, the amendments were agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

On motion, the Secretary was directed to transmit the bill forthwith, to the House of Representatives.

On motion of Mr. Holcombe, the rules were suspended, and the Senate took up the House bill entitled an act to loan the credit of the State to the Georgia Air Line Railroad Company. The bill was read the second time, and on motion of Mr. Holcombe, was made the special order for Tuesday morning next, at ten o'clock.

On motion, the Secretary was directed to have printed fifty copies of the bill for the use of the Senate.

On motion, the rules were further suspended, and Mr. Fain offered the following resolution, which was adopted to-wit:

Whereas, The question of eligibility to seats on this floor occupied by the colored members, is set apart as the special order for to-day; and *whereas*, it is the desire and will of the Senate; that the colored members should have a fair and impartial trial, and ample time to make their defense. Therefore, be it

Resolved, That instead of the usual time of one-half hour, that in this special case, the colored members be allowed respectively to occupy the floor one hour, in which to make their defense, and that all others who desire to speak upon this question, be allowed respectively to occupy the floor only one-half hour, the time now given by the rules of the Senate.

Mr. Smith, of the 7th District, moved that when the Senate adjourns, it shall adjourn to meet again at four o'clock, this P M., for the purpose of taking up bills for a third reading, whereupon, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adkins,	Graham,	Nisbett,
Anderson,	Griffin, 21st District,	Richardson,
Bowers,	Hicks,	Sherman,
Burns,	Hinton,	Smith, 7th Dist.,
Candler,	Lester,	Wellborn,
Collier,	McArthur,	Welch,
Corbitt,	McCutchen,	Winn.
Fain,	Moore,	

Those voting in the negative, are Messrs :

Campbell,	Holcombe,	Nunnally,
Colman,	Hungerford,	Smith, 36th Dist.,
Dickey,	Jones,	Speer,
Harris,	Jordan,	Wooten.
Higbee,		

Yeas, 23 ; nays, 13. So the motion of Mr. Smith prevailed.

On motion, the Senate then took up the special order for the day, the same being the resolution of Mr. Winn, declaratory of the ineligibility of T. G. Campbell, sitting as Senator from the second Senatorial District, and George Wallace, sitting as Senator from the twentieth Senatorial District, to seats as Senators ; also the substitute to the same, as offered by Mr. Speer.

After debate, Mr. Speer withdrew the substitute, and the Senate adjourned until 4 o'clock, P M.

FOUR O'CLOCK, P M.

The Senate met pursuant to adjournment, and was called to order by the President.

On motion of Mr. Smith, of the 7th District, the Senate took up the bill to loan the credit of the State to the South Georgia and Florida Railroad.

The bill was read the third time. Mr. Smith then offered the following as a substitute, to-wit :

A BILL

To be entitled an act to loan the credit of the State to the South Georgia and Florida Railroad Company, and for other purposes.

Whereas, the South Georgia and Florida Railroad, a road chartered by the legislature of the State of Georgia, to be built from the city of Albany, to the city of Thomasville, in this State, is a work of great general as well as local value and importance to a large portion of the good people of this State ; and whereas, the building of said South Georgia and Florida Railroad, will be of incalculable benefit to the State of Georgia, by developing the resources of a large and valuable portion of the State, hitherto unprovided with railroad advantages.

SECTION 1. *Be it enacted by the Senate and House of Representatives, in General Assembly convened, That from and after the passage of this act, whenever the South Georgia and*

Florida Railroad Company shall have completed and fully equipped ten continuous miles of road at either or both ends of its line, it shall be the duty of the Governor of the State, and he is hereby required for and in behalf of the State, to endorse the guaranty of the State on the first mortgage bonds of said railroad company, to the extent of eight thousand dollars ("§8,000 00") per mile for that portion thus finished, completed and equipped, and when a second section of ten miles is completed and equipped, it shall be the duty of the Governor, and he is hereby required to endorse the like guaranty on the said first mortgage bonds of the said railroad company, upon the presentation of said bonds by said company, to the extent of eight thousand dollars ("§8,000 00") per mile for the second section of ten miles, and this rate and extent of endorsements, shall be continued upon the same conditions for each subsequent section of ten miles until said railroad is completed, it being the true extent and meaning of this act that the State shall endorse the first mortgage bonds of said railroad company, to the extent of eight thousand dollars ("§8,000 00") per mile for each mile of said company's line, whenever said railroad company shall prepare and execute said first mortgage bond, and shall make request for such endorsements of guaranty thereof as aforesaid.

SEC. 2. *Be it further enacted*, That if the last section of said railroad shall be less than ten miles, the endorsement shall be at the said rate of eight thousand dollars ("§8,000 00") per mile.

SEC. 3. *Be it further enacted*, That before any such endorsement shall be made, the Governor shall be satisfied that so much of the road as the said endorsement shall be applied for, is really finished and in complete running order, and that said road is free from all mortgages or other legal incumbrances which may in any manner endanger the security of the State, and upon the further condition and express understanding that any endorsement of said bonds as aforesaid when made, shall not only subject all property of every kind which may be purchased with said bonds to the obligation of said first mortgage lien, until all the principal and interest due on the bonds so endorsed shall be paid, but the said endorsement shall be and is hereby understood to operate as a prior lien or mortgage on all the property of the company, to be enforced as hereinafter provided for.

SEC. 4. *Be it further enacted*, That in the event any bond or bonds endorsed by the State, as provided in the first section of this act or the interest that may accrue and become due thereon, shall not be paid by said railroad company at maturity or when due, it shall be the duty of the Governor

upon information of such default by any holder of said bond or bonds, to seize and take possession of all the property of said railroad company, and apply the earnings of said road to the extinguishment of said unpaid bond or bonds, or coupons, and may at his discretion upon continued default in such payment by said company, for a period of six months, sell the said road and its equipments, and other property belonging to said company or any portion thereof, in such manner and at such time as in his judgment may best subserve the interest of all concerned.

SEC. 5. *And be it further enacted*, That no railroad company in this State shall, under any pretext, sell or dispose of any bonds issued to it by the State, or any of its own bonds endorsed by the State, at less than ninety cents in the dollar in lawful money of the United States. And in case any such company to which the State has, or may extend its aid, has or may by any direct contract, or by any evasion or pretext, sell or dispose of, or attempt to sell or dispose of any bonds issued or endorsed by the State as aforesaid, for less than ninety cents in the dollar, it shall be the duty of his Excellency the Governor, to withhold all further issue of bonds to such company, and all further endorsement of the bonds of such company; and any citizen or tax payer in this State, may appeal to the Courts in his own name, to restrain such illegal use of the bonds so issued or endorsed to said company, and to discover the fraudulent or illegal use made of such bonds by reason of which the credit of the State may be depreciated, and the burdens of the citizen increased. And said endorsement shall in no case exceed the amount per mile already invested by stockholders or private persons, and actually paid in by such stockholders.

SEC. 6. Repeals conflicting laws.

On motion of Mr. Nunnally, the bill was made the special order for Wednesday morning next, immediately after the reading of the journal.

On motion of Mr. Anderson, the Senate then took up the bill to incorporate the Fort Valley Loan and Trust Company.

The Committee on Banks, to whom this bill was referred, reported the same back with the recommendation that it do pass, with the following additional sections to come in before the repealing clause, to-wit:

SEC. — *Be it further enacted*, That the Board of Directors shall make semi-annual statements of the condition of said company on the first Monday in January and July of each year, to its stockholders, and to the Governor of the State, all of its debts, liabilities and assets whatever, under oath of

their President and Cashier, before a Justice of the Peace, or other officers authorized to administer oaths, and such statement shall be kept in a book for that purpose for future reference.

SEC. — The company shall have a printed copy of this charter placed in a frame in their office, so that parties may see the same, who wish to transact business therewith.

Mr. Wooten, moved to amend further, by inserting the following at the end of section five, which was accepted, to-wit: "*Provided*, That each stockholder shall, to the amount of his stock, be individually liable to creditors and depositors."

On motion of Mr. Hinton, the bill was taken up by sections.

Sections first and second were adopted.

Section third was then taken up.

Mr. Holcombe, moved to strike out after the words, "all mortgages taken," the words, "shall be considered as upon personal property and," also after the words "and provided" the words "for the foreclosure of mortgages on personal property."

After debate, Mr. Nunnally called for the previous question, which being sustained, the main question was ordered upon the motion of Mr. Holcombe to strike out, which was not agreed to.

The question was then put upon the adoption of section third, and the same was adopted.

Section fourth was then taken up and adopted.

Section fifth was taken up and adopted.

On motion of Mr. Griffin, of the 21st District, section sixth and following sections were adopted.

On motion of Mr. Anderson, the report of the committee was agreed to.

After debate, Mr. Hinton called for the previous question which being sustained, the main question was ordered upon the passage of the bill as amended, and the bill as amended was passed.

On motion, the Senate adjourned until to-morrow morning at 9 o'clock.

SENATE CHAMBER,
ATLANTA, GEORGIA,
SATURDAY, September 12th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President. Prayer by the Rev. Mr. Crumley.

The roll was called, and the Journal of the previous day read and approved.

On motion, the rules were suspended, and Mr. Griffin, of the 21st District, offered the following resolution, which was adopted, and referred to the Committee on the Judiciary, to-wit :

Resolved, That the Judiciary Committee be requested to take into consideration the propriety of establishing poor houses in each county of this State, and report to this General Assembly, by bill or otherwise, at an early day.

Mr. Harris, Chairman of the Committee on Finance, made the following report :

Mr. President :—The Finance Committee, to whom a bill to be entitled an act to require the Western and Atlantic Railroad to take up the change bills put in circulation by the Superintendent thereof, under the act assented to on the 17th day of December, 1861, and for other purposes, was referred, have had the same under consideration, and recommend that the same do not pass.

JOHN HARRIS,
Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk :

Mr. President :—The House of Representatives have passed the following bill, to-wit :

A bill to be entitled an act to authorize the Governor to borrow a sum of money sufficient to pay off the members and officers of the General Assembly.

The Senate then resumed the unfinished business of yesterday, the same being the consideration of the resolution, as offered by Mr. Winn, declaratory of the ineligibility of T. G. Campbell and George Wallace, persons of color, sitting as Senators.

After debate, Mr. Holcombe called for the previous question, which being sustained, the main question was ordered upon the adoption of the resolution, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Anderson,	Hicks,	Nesbitt,
Burns,	Hinton,	Nunnally,
Candler,	Holcombe,	Richardson,
Collier,	Jordan,	Smith, (7th Dist.,)
Fain,	Lester,	Smith, (36th Dist.,)
Graham,	McArthur,	Wellborn,
Griffin, 21st Dist.,	McCutchen,	Winn.
Griffin, 6th Dist.	Moore,	Wooten.

Those voting in the negative, are Messrs :

Adkins,	Harris,	Sherman,
Bowers,	Higbee,	Speer,
Colman,	Hungerford,	Welch.
Dickey,	Jones,	

Yeas 24 ; nays 11. So the resolution was adopted.

Mr. Hungerford presented a protest from Messrs. Campbell and Wallace, against the action of the Senate declaring them ineligible to hold seats in the Senate, on account of color.

After debate, Mr. Fain moved that the protest be received and spread upon the Journal, provided the same is couched in respectful language.

After debate, Mr. Hinton called for the previous question, which being sustained, the main question was ordered upon the motion of Mr. Fain, which was agreed to.

PROTEST.

Mr. President, and gentlemen of the Senate :

You have this day decided, by your vote, that we are not eligible to seats on the floor of the Senate.

Sirs, by a very large majority of all the votes cast in our several districts, and by the rights guaranteed us, both in the Constitution of the United States and of the State of Georgia, as well as in the reconstruction laws of Congress, we claim to be the legally elected representatives of a very large portion of, and nearly one-half of the legal electors of the State of Georgia. Sirs, the Constitution and the laws of Georgia strictly provide that no laws shall be made or enforced which shall abridge the privileges or immunities of citizens of the United States, or of this State, or deny to any person within its jurisdiction the equal protection of its laws.

Therefore, in behalf of ourselves, our constituents, and also in behalf of nearly five hundred thousand loyal citizens of this State, we do enter our solemn protest against the illegal, unconstitutional, unjust and oppressive action of this body,

based upon the resolution of the Senator from the 35th Senatorial District, declaring us ineligible on account of color.

And we respectfully request that this, our protest, be spread upon the Journals of the Senate.

T. G. CAMPBELL,
GEORGE WALLACE,
By his friend, T. G. Campbell.

Mr. Higbee offered the following, which was ordered to be spread upon the Journal.

Whereas, the Constitution of the State makes colored persons citizens, and adopts Irwin's Code as embracing the statutes of force in Georgia, which Code provides that citizens of this State shall enjoy certain rights, among which is the right to "hold office," and "to perform any civil function" in this State, and furthermore provides, that "all citizens are entitled to exercise all their rights as such, unless specially prohibited by law;" and, *whereas*, the position of members of the General Assembly is an office, and also a civil function, and as colored citizens are not excepted in any terms, much less "specially prohibited by law," from being eligible to seats in the General Assembly:

Therefore, we, the undersigned, do hereby declare that, under the Constitution and laws of Georgia, all citizens thereof, without regard to race or color, subject to certain exceptions and restrictions common to all races, have a like equal right to be chosen members of the General Assembly, and most solemnly protest against all action of the Senate, whereby any of its members are declared ineligible, by reason of color, as unconstitutional and void.

E. I. HIGBEE,
JOSEPH ADKINS,
J. M. COLMAN,
W. B. JONES,
F. O. WELCH,
JOSIAH SHERMAN,

And *whereas*, an ordinance prescribing the qualifications of members to this first General Assembly, passed and adopted by the Constitutional Convention, to have the force of law until expiring by its own limitation, recognizes all citizens of the United States, who are inhabitants of this State, and who are twenty-five years of age, and residents of the district six months previous to their election, as eligible to the Senatorship; we further protest, on that ground, also, to the unlawful exclusion of the above named Senators from seats upon this floor.

Respectfully,

[Signed]

JOSEPH ADKINS.

On motion, the rules were suspended, and Mr. Candler offered the following resolution, which was adopted, to-wit:

Whereas, the Senate having declared T. G. Campbell, who has held a seat as Senator from the Second Senatorial District, is ineligible to his seat, and that George Wallace, who has held a seat as Senator from the twentieth Senatorial District, is ineligible to his seat as such; therefore,

Resolved, That the two persons in said Senatorial Districts who respectively received the next highest number of votes to the person declared ineligible by the Senate, if eligible, are entitled to their seats as Senators from the second and twentieth Senatorial Districts.

Resolved, 2d, That his Excellency, the Governor, be respectfully requested to transmit to the Senate a statement of the election returns for Senators in the second and twentieth Senatorial Districts of this State.

On motion, leave of absence was granted to Senators Griffin, of the 21st, and Nunnally, for a few days.

On motion, the rules were suspended, and the Senate took up the bill of the House to authorize the Governor to borrow a sum of money sufficient to pay off the members and officers of the General Assembly. The bill was read the first time.

On motion of Mr. Moore, the Senate then adjourned until Monday morning, at 9 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

MONDAY, September 14, 1868.

The Senate met pursuant to adjournment, and was called to order by the President *pro tempore*. Prayer by Rev. Mr. Hinton, Honorable Senator from the 24th District.

The roll was called, and the Journal of Saturday read and approved.

Mr. Lester gave notice that Mr. Winn would move to reconsider so much of the Journal of Saturday as relates to the action of the Senate in receiving the protest, as offered by T. G. Campbell and George Wallace.

Mr. Wellborn presented a petition from citizens of Union county, which was read, and referred to the Committee on Petitions.

Also, a petition from H. L. Carroll and Rebecca Mathis,

of Union county, which was read, and referred to the Committee on Petitions.

Mr. Moore presented the following report from the Superintendent of Public Works, which was read, and, on motion, the Secretary was directed to have fifty copies printed for the use of the Senate.

OFFICE OF SUPERINTENDENT OF PUBLIC WORKS, }
ATLANTA, GA., September 10, 1868. }

Hon. BENJAMIN CONLEY, President of the Senate :

Sir—In answer to your resolution, that the Superintendent of Public Works be required to submit to the Senate a report of the amount of money expended upon the public buildings, etc., adopted on the 31st of August, and transmitted to me on the 6th of the present month, I would respectfully submit the following :

I find, in an act entitled an act to establish the number of Commissioners for the town of Milledgeville, and to extend and define their powers, assented to December 5th, 1805, the following provision :

That from and after the passage of this act, the said Commissioners be, and they are hereby authorized and empowered, to contract for the building of a State House, (which shall be of brick, and according to the plan approved by the Legislature,) in the town of Milledgeville; * * * * *provided*, the expense of the said building shall not exceed the sum of sixty thousand dollars. [See Clayton's Compilations, pages 265 and 266.

Under authority of this act, a small, plain brick building, the walls of which still form a portion of the centre of the present structure, was erected. But this, in time, was found inadequate to the wants of the State Government, and afterwards remodelled and greatly enlarged. The records of the Comptroller General's office, and the warrants drawn upon the Treasury for this purpose, and for the erection of the Executive Mansion, and certain repairs and improvements upon the same, show that their cost prior to the session of the Legislature of 1855-6 was about three hundred thousand dollars. This, however, was exclusive of a vast quantity of labor done at different times by convicts of the Penitentiary, but of which no detail returns can be made, as the books of that institution were destroyed at the time the Penitentiary buildings were burned by the enemy, in 1864. This work consisted, in part, of furniture for the office, grading, gates, paving, enclosures, masonry, and the like, and the annual repairs upon the buildings and their appurtenances, extending

over a period of fifty years ; and its actual cost may be safely set down at two hundred thousand dollars.

Accepting Governor H. V. Johnson's report, made to the Legislature in 1855, [See House Journal, page 27,] as correct, we may fairly estimate the total cost of the public buildings at Milledgeville, exclusive of the Lunatic Asylum and the Penitentiary, up to the close of the war, at the sum of half a million of dollars.

At the session of the Legislature in 1865 and 1866, the sum of eight thousand dollars was appropriated for repairs upon the State House, and twenty thousand dollars for repairing and refurnishing the Executive Mansion.

With this sum the latter building was thoroughly repaired and handsomely furnished, and such repairs made upon the State House as, at the time, were deemed indispensably necessary.

During the war, this building had gone greatly to decay, having been much injured by the occupancy of the Yankee army, who, in addition, destroyed or carried off all the carpets, window curtains, and the cloth covers from desks and tables.

The following session of the Legislature ordered that other necessary repairs and improvements should be made. Under the provisions of this act, the sum of thirty-five thousand four hundred and fifty dollars and fifty-five cents has been expended.

With this sum the building has been thoroughly repaired inside and out, and made, in all respects, suitable for the object for which it was designed. It has been newly plastered and painted, the furniture put in order, and an entire story in the basement added, for the accommodation of the Supreme Court, its offices and Judges, the law library, and the records of the State. These apartments are thoroughly ventilated, and every precaution taken to guard against damp. But as a committee of your honorable body has already reported, in detail, upon these improvements, it is not necessary to refer to them more particularly here.

The following abstract will show, in a condensed form, as near as I am able to give it, the whole amount expended :

Expended prior to 1856, as shown by treasury warrants.....	\$300,000 00
Estimated value of labor done by convicts during that period.....	200,000 00
Under appropriations of 1855-6.....	28,000 00
Under appropriations of 1867.....	35,450 55
Making a total of.....	<hr/> \$563,450 55

It may be proper to state that a large portion of the labor under the last appropriation was done by convicts, they having been used whenever their services were available. An experience of nearly three years has satisfied me that this kind of labor can be profitably employed upon the public works of the State, and at a great saving of expense to the Treasury. A detailed report of the amount of appropriations rendered necessary in "the present change of seat of Government," and called for by the same resolution, will be submitted to the Senate so soon as the estimates can be prepared. But as the preparation of these estimates requires great care, and involves much labor, I must, in the meantime, respectfully beg the indulgence of your honorable body.

I am, sir, very respectfully, your obedient servant,

B. W. FROBEL, Civil Engineer,
Superintendent Public Works.

Mr. Wellborn, from the Committee on the Judiciary, made the following minority report :

Mr. President:—The undersigned, members of the Judiciary Committee, who have had before them a bill to organize a District Court in each Senatorial District in this State, in dissenting from the report of the majority of the committee, beg leave to submit the following minority report :

We are clearly of the opinion that such a Court as the one sought to be organized by this bill, will impose sore and grievous burthens upon the people, without conferring anything like commensurate advantages, and that the Court ought not to be organized.

The first clause of section fourth of article fifth of the Constitution empowers the Legislature to dispense with this Court, by "providing otherwise" for the enforcement of the laws, and it is our opinion that it ought so to do. The intention of the framers of the Constitution, evidently, was to provide, or enable the Legislature to provide, a substitute for the County Court, with which the people had become greatly dissatisfied. We are unable to perceive that this Court will, to any material extent, be preferable to the County Court.

That the County Court was a burthen and a failure, it is almost needless to assert. The bill to organize the District Court incorporates all the frailties and defects of the County Court, and in scarcely any event does it make an improvement. It is due to the majority of the committee to say that the bill reported by them is as free from defects, and as deftly framed, as the nature of the case would allow. The defects in the bill are inherent in the Court, and, in our

opinion, cannot be cured by any attention to the mere details of the bill.

This bill requires the same qualifications for Judge as were prescribed for Judges of the County Court, and no other; and we do not believe that a Court thus provided for can ever command the respect and confidence of suitors, members of the bar, or jurors, and will only have the effect of lowering the standard of judicial dignity in the State. The features in which this bill differs most widely from the County Court bill, is in the enlargement of its circuit, and the mode of paying the salaries of its Judge and Solicitor.

This bill provides that the Judge shall have a salary of one thousand dollars, and the Solicitor a salary of five hundred dollars, both upon a specie basis. This will make the aggregate amount of their salaries, in currency, in each district, about \$2,100.

The sum necessary, then, to pay the salaries of these two officers throughout the State, will be ninety-two thousand four hundred dollars. Aside from these salaries, a clerk, sheriff, and jurors are to be paid. It may be safely said that these officers will consume the fund, or very nearly so, arising from fines and forfeitures. This Court, from this exhibit, cannot fail to be a burthen to the people, which will not only cause them to murmur, but which, we think, will inflict needless injury upon the country. The aggregate amount of salaries paid your Judges and Solicitors of Superior Courts, in this State, is only \$40,000. This is less than half the expense of the District Courts.

We are clearly of the opinion, then, that this bill should not pass, and we would respectfully suggest the appointment of a joint committee to take into consideration some other means of meeting the wants of the country in the enforcement of its criminal laws.

All of which is respectfully submitted.

C. J. WELLBORN,
RUFUS E. LESTER.

On motion the rules were suspended, and the Senate took up the bill of the House, to authorize the Governor to borrow a sum of money sufficient to pay off the members and officers of the General Assembly. The bill was read the second time and referred to the Committee on Finance.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives, have concurred in the amendment of the Senate, to the bill of the House, to be entitled an act to change the time of holding

the Superior Courts of the county of Catoosa in the Cherokee Circuit, with an amendment in which they ask the concurrence of the Senate, and I am instructed to transmit the same to the Senate forthwith.

Mr. Winn, in conformity with previous notice as given by Mr. Lester, moved to reconsider so much of the Journal of Saturday, as relates to the receiving of the protest of T. G. Campbell and George Wallace.

After debate, the question was put, and the motion to reconsider did not prevail.

On motion of Mr. McCutchen, the rules were suspended, and the Senate took up the bill of the House, to change the time of holding the Superior Courts for the county of Catoosa, with an amendment thereto, to which they ask the concurrence of the Senate.

On motion, the amendment was concurred in, and the bill ordered to be transmitted forthwith, to the House of Representatives.

Mr. Winn, Chairman of the Special Committee, to whom was referred the memorial of the Mayor and City Council of the city of Milledgeville, praying the removal of the capitol from the city of Atlanta to the city of Milledgeville, etc., made the following report :

Mr. President: The Special Committee, to whom was referred the memorial of the mayor and city council of the city of Milledgeville, praying the removal of the capitol from the city of Atlanta, to the city of Milledgeville, beg leave to report that the General Assembly, and all of the State officers are pleasantly located in the city of Atlanta, and without expense to the State for the next ten years. Our present location is healthy and very accessible to all parts of the State. A removal would be at a heavy cost to the people, and it would be soon enough to consider the proposed removal, and incur the cost thereof, seven years hence.

In view of the impoverished condition of the State, all expenses should be cut off at this time, and a policy of rigid economy adhered to.

By reference to the Constitution, your committee find that a two-thirds vote of two consecutive Legislatures, and a ratification by the people, will be required to effect a removal.

The people having ratified the Constitution, locating the capitol of the State at Atlanta, it would be unwise legislation to thwart the will of the people.

The right to have the capitol is not vested in any city ; but the people can in a constitutional way, at any time, change the location of the same, at their will and pleasure.

In view of all the facts your committee feel constrained to report against removal.

(Signed)

WM. T. WINN,
W. C. SMITH,
A. W. HOLCOMBE,
Committee.

Mr. Griffin, of the 21st District, from the Special Committee appointed to take into consideration the memorial from the City Council of Milledgeville, in reference to the removal of the capitol from said city, dissenting from the views entertained by a majority of the committee, beg leave to make the following minority

REPORT.

The undersigned, constituting the minority of a committee appointed for the purpose before mentioned, deems it a duty owed to the country at large, to place on record the reasons influencing the action herein undertaken for the dissenting from the report of the majority.

1st. The instrument known as the Constitution, and providing for the removal of the capitol from Milledgeville to Atlanta, also gives to all citizens in addition to life and liberty that of protection to property. It will be observed that this covenant interred into despoils at one blow by depreciation nearly three thousand citizens of hundreds of thousands of dollars in the valuation of property. Even admitting the right of the Convention to incorporate this section in the Constitution, which is very doubtful, the removal instead of being gradual, was suddenly thrust upon the citizens not only of the State, but a portion who had invested all of their surplus capital in the improvement of property, beautifying and adorning the same, at the former seat of Government. Their fathers who had gone before them as set forth, in the memorial, purchased the lots at fabulous prices, the proceeds of sale being placed in the Treasury for the purpose of being applied to the building of the present capitol building. This would save the tax sought now to be imposed upon the community, to build a new edifice, and the present Constitution has not only provided for the levying of a burdensome tax for this purpose, but by the Legislature, its agent, have agreed to take by contract, an opera house situated in Atlanta, belonging to private individuals as a suitable edifice to transact legislative business, at an expense of seven thousand dollars per annum to the residents of Atlanta. It must be borne in mind that the citizens of the city where the new capitol is located, voted by a majority of several hundred against the removal.

The minority cannot but conclude that the whole measure simply benefits a few individuals and not the State at large.

2nd. If the Convention had the right to remove the former seat of government, its citizens should be made to pay for its location. In other words, a few individuals promised the Convention, that if they would give Atlanta the capitol, despoil the good citizens of Milledgeville of a right guaranteed by all past Legislatures and Conventions, we will furnish you a fine opera house, dry goods stores underneath, and good singing above free of rent for the Senate Chamber and House of Representatives, besides a few rooms for offices, etc. The convention accepted the offer, and never once paused to reflect, whether the State was already in possession of a superior building already paid for, and with ample accommodations. The party formerly owning said opera house, deeming the investment a bad one, owing principally to the unsafe condition of the walls, sold it to a few individuals, in view of the facts of a certainty, so far as a removal was concerned. The building is said to be yet unsafe, and this itself, is a sufficient argument if none other, to guarantee this protest.

3d. The small amount of business transacted by the present Legislature, is alone owing to the outside influences brought to bear on members by lobbyists, naturally arising from a capitol being located in a large city. Innumerable bills of a local nature are considered by this influence to the detriment of general and wholesome laws for the interests of the State at large, and from accurate observation this item alone, will be an expense to the State of at least two hundred thousand dollars annually.

4th. The item of erecting an Executive Mansion has been ignored in the expense necessary by removal, thereby losing to the State a building ample for that purpose, at a cost of one hundred and thirty thousand dollars. The members of the Assembly living near Atlanta, on the different lines of railroads diverging from this city, cannot give that attention necessary to legislation by absenting themselves daily to their homes, and the minority are frank to admit that it is nothing but natural to expect no aid in the measure from this class.

In conclusion, not to become tedious, the minority will beg to lay before you, the item of mileage, which increases the amount of expenses to the State at least ten thousand dollars annually. Atlanta is but a few miles comparatively to the Alabama line, and the original design of our past legislators, was to so locate a capitol which was to be accessible equal to all.

In behalf of the citizens of our impoverished State, the large portion of our people of Middle and Southern Georgia, also in the name of the property holders of Milledgeville, which the Constitution has failed to protect, and also in justice to the memory of our fathers, whose example it should be our pride to imitate, the minority of your committee protest against the action of the Convention, and the report of the majority of the select committee, and in view of the facts herein set forth, and that the removal cannot enhance the value of the property of Atlanta, neither be of any practical benefit to the State, but an injury, this protest is hereby made.

WM. GRIFFIN,
THOS. J. SPEER.

Mr. Speer, also in addition to the above, begs leave to append the following, to-wit :

And in addition to the above reasons set forth by the minority committee, I beg leave to set forth an additional one.

On last Friday, the 5th inst., it having been previously announced that the Hon. Mr. Akerman, whose intelligence and purity of character is admitted by all parties, would address the members of the Legislature and citizens generally, upon the political issues of the day, in the Representative Hall that evening at half-past seven o'clock, the Hon. V P Sission, one of the Representatives from Fulton county, offered a resolution denying the use of the Hall in the future for the assembling of any persons for any political purposes whatsoever, and said resolution being defeated by a suspension of the rules, and being introduced by the representative from Fulton county, who should be regarded as the oracle of the citizens of said county, and being informed by gentlemen of unimpeachable veracity that the Representative Hall at Milledgeville has always in the past, during the session of the Legislature, been entirely free for the meetings of any political parties for speaking, caucusses or any any other legitimate purposes, and being assured that it will be so in the future, it being the property of the citizens of the State, without any regard to their political opinions, where they may congregate at pleasure, without dictation from any source whatever. I would most respectfully suggest for this reason, besides those set forth by the minority in their report that the Constitution be so amended as to make the seat of government permanent at Milledgeville.

THOS. J. SPEER.

Mr. Wellborn moved that fifty copies of both reports be printed for the use of the Senate.

Mr. Smith, of the 7th District, moved to lay the motion on the table, which was agreed to.

Mr. Jordan moved to suspend the rules for the purpose of introducing a resolution, whereupon the yeas and nays were required to be recorded.

Those who voted in the affirmative are, Messrs :

Anderson,	Fain,	Lester,
Burns,	Graham,	McCutchen,
Candler,	Hicks,	Moore,
Collier,	Hinton,	Smith, 36th Dist.,
Dickey,	Jordan,	Wellborn.

Those voting in the negative, are Messrs:

Adkins,	Griffin, 6th District,	Speer,
Brock,	Jones,	Welch,
Colman,	Sherman,	Winn.
Corbitt,	Smith, 7th Dist.,	

Yeas, 15 ; nays, 11. So the rules were not suspended.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have passed the following bills, to-wit:

A bill to be entitled an act to alter and amend the charter of the city of Americus.

Also, a bill to be entitled an act to amend the charter of the Savannah, Skidaway and Seaboard Railroad Company, and for other purposes.

Also, a bill to be entitled an act for the relief of the Atlanta and West Point, and the Macon and Western Railroads.

Also, a bill to be entitled an act to levy and collect a tax for the support of the government for the year 1868, and for other purposes.

Also, a bill to be entitled an act to amend the several acts incorporating the town of Cartersville, in the county of Bartow, and to repeal all acts and parts of acts in conflict with this act.

Also, a bill to be entitled an act to prohibit hunting on the lands of another without the consent of the owner of said lands.

Also, a bill to be entitled an act to amend an act, passed November 12th, 1866, amending the charter of the town of Sandersville, in the county of Washington, and to vest certain powers in the commissioners thereof.

Also, a bill to be entitled an act to change the line between the county of Quitman, and the county of Stewart.

Also, a bill to be entitled an act to prevent the illegal returns of lands in this State.

Also, a bill to be entitled an act to remove the county site of Bulloch, and for other purposes.

Also, a bill to be entitled an act to extend the corporate limits of the town of Perry, county of Houston.

Also, a bill to be entitled an act to authorize the municipal authorities of the various towns and cities in the State of Georgia, to license pawnbrokers, to define their powers and privileges, and for other purposes therein mentioned.

They have also adopted the following resolution :

A resolution authorizing the Clerk of the House, and Secretary of the Senate, to turn over the State Printing to J. W. Burke.

They have also concurred in the following resolution of the Senate :

A resolution directing the Superintendent of Public Works to have assorted and arranged the documents and records of the State of Georgia, at Milledgeville, so as to insure their safety.

They have also passed the following bills of the Senate :

A bill to be entitled act to protect the planters of this State from imposition in the sale of fertilizers.

Also, a bill to be entitled an act to repeal an act, assented to December 16th, 1857, entitled an act to repeal the 2d section of an act to amend an act entitled an act, to give all persons employed on steamboats, and other water-craft on the Chattahoochee, Altamaha and Ocmulgee rivers, a lien on said steamboats or other water-craft for his, her or their wages, and for wood and provisions furnished, and to point out and facilitate the mode of collection of the same, assented to December 11th, 1841, so as to include the Savannah river within the provisions of the same, and for other purposes. Assented to December 27th, 1842.

The following bills were introduced, and severally read the first time, to-wit :

By Mr. Wellborn, a bill to provide for the election of one Justice of the Peace, and two Constables in each Militia District in this State, and to fix the time therefor.

Also, a bill to relieve Henry L. Carroll, and Rebecca Mathis, of the county of Union, from the payment of a forfeited recognizance therein specified.

Also, a bill to relieve Lambert C. Cook, of the county of Union, from the payment of, and liability upon a certain forfeited recognizance, therein specified.

By Mr. Smith, of the 36th District, a bill to regulate the bonds of Sheriffs in the different counties in this State.

By Mr. Winn, a bill to constitute the county of Fulton a judicial circuit, to be called the Atlanta Circuit, to fix the time of holding the Courts of the same, and for other purposes.

Also, a bill to provide for the payment of officers, and other persons having claims against the late County Courts, of said State.

By Mr. Richardson, a bill to create and organize a new county, from the counties of Heard, Troup, Meriwether and Coweta.

By Mr. Higbee, a bill guaranteeing the rights of voters.

By Mr. Hinton, a bill to authorize the Justices of the Peace in the county and town districts of the several counties of this State, to try all penal offences known to this State, except such as are punishable by death or imprisonment in the penitentiary.

By Mr. Moore, a bill to alter and amend section fifth of the act incorporating the town of Weston.

By Mr. Smith, of the 7th District, a bill to relieve James N. Moss, a minor, of Thomas county.

Also, a bill to relieve Amos Hicks, a minor, of Thomas county.

By Mr. Corbitt, a bill to change the residence of Thomas T. Newborn, of the county of Coffee, to the county of Clinch.

By Mr. Lester, a bill to provide for the drawing of juries in certain cases therein mentioned.

Also, a bill to provide for the drawing of juries for the Superior Court in the county of Chatham.

Also, a bill to incorporate the Merchants Savings Bank of Augusta.

Mr. Winn, offered the following resolution, to-wit :

Whereas, Franklin A. Crawford, has been for thirteen years, an employee on the Western and Atlantic Railroad, and as conductor of a freight train for the last ten years ; and *whereas*, he has given general satisfaction in his said employment during the whole time ; and *whereas*, also about three years ago, and in the discharge of his duties as conductor as aforesaid, he lost all of his fingers on his right hand, which has unfitted him for ordinary labor outside of said conductorship, which he is fully qualified to discharge, and by which alone, he will be able to support himself and family ; therefore,

Resolved, That the Superintendent be and he is hereby directed, by the Senate and House of Representatives of the State of Georgia, in General Assembly met, to continue said

Franklin A. Crawford, in his said situation as conductor, as aforesaid, until otherwise directed by this General Assembly, or some future legislature of this State.

On motion of Mr. Burns, the resolution was indefinitely postponed.

On motion of Mr. Burns, the rules were suspended; and the Senate took up and concurred in the following resolution of the House, to-wit:

A resolution, authorizing the Clerk of the House, and Secretary of the Senate, to turn over the State Printing to J. W. Burke.

On motion of Mr. Lester, the rules were suspended, and the Senate took up the House bill to amend the charter of the Savannah, Skidaway and Seaboard Railroad, and for other purposes.

This bill was read the first time.

On motion of Mr. Burns, the rules were suspended, and the Senate took up the bill of the House, to levy and collect a tax, for the support of the government, for the year 1868, and for other purposes.

This bill was read the first time.

Mr. Speer, moved to suspend the regular order for the purpose of taking up bills for the third reading, which was agreed to.

The Senate then took up the bill to repeal so much of the law as requires a Judge of the Superior Court to reside for twelve months in the Judicial Circuit, for which he is elected, previous to his election, and to require the Judges of the Superior Court, to alternate under the direction of the Chief Justice of the Supreme Court.

The Committee on the Judiciary to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, the bill read the third time and lost.

The Senate took up the report of the committee on the bill to prevent and punish duelling.

The Committee on the Judiciary, to whom this bill was referred, reported the same back, with the recommendation that it do not pass.

The report of the committee was agreed to, the bill read the third time and lost.

The Senate took up as the report of the Committee of the Whole, the bill to amend the oath of grand jurors in this State.

Mr. Candler, moved to postpone further action to an indefinite time, upon which the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Burns,	Graham,	McArthur,
Candler,	Griffin, 6th Dist.,	McCutchen,
Collier,	Hungerford,	Moore,
Corbitt,	Jones,	Wellborn,
Dickey,	Jordan,	Winn.
Fain,	Lester,	

Those voting in the negative, are Messrs:

Adkins,	Colman,	Sherman,
Anderson,	Hicks,	Smith, 36th Dist.
Bowers,	Hinton,	Speer,
Brock,	Richardson,	Welch.

Yeas, 17; nays, 12. So the bill was indefinitely postponed.

The Senate then took up the report of the committee on the bill to prevent stock from running at large, pending the consideration of which the hour having arrived, the President announced the Senate adjourned until to-morrow morning at 9 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

TUESDAY, September 15th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Spillman.

The roll was called, and the Journal of the previous day read and approved.

Mr. Brock, in conformity with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to amend the oath of grand jurors in this State.

After debate, Mr. Wellborn called for the previous question, which, being sustained, the main question was ordered upon the motion to reconsider, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are Messrs.

Adkins,	Harris,	Sherman,
Bowers,	Hicks,	Smith, 7th Dist.,
Brock,	Hinton,	Smith, 36th Dist.,
Colman,	Jones,	Welch.
Dickey,	Moore,	Mr. President.
Griffin, 6th Dist.,	Richardson,	

Those voting in the negative, are Messrs :

Anderson,	Graham,	McCutchen,
Burns,	Holcombe,	Nesbitt,
Candler,	Jordan,	Nunnally,
Collier,	Lester,	Wellborn,
Corbitt,	McArthur,	Wooten.
Fain,		

Yeas 17; nays 16. So the motion to reconsider prevailed.

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit:

Mr. President: I am directed by the Governor to deliver to the Senate a communication in writing.

The following message was received from the House of Representatives through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have adopted the following resolution, to-wit:

A resolution authorizing the Governor to draw funds from the Treasurer to pay the several committees' expenses for visiting the State institutions.

They have also passed the following bills, to-wit:

A bill to be entitled an act to incorporate the town of West End, in the county of Fulton.

Also, a bill to be entitled an act to incorporate the Georgia Fire and Marine Insurance Company.

Also, a bill to be entitled an act to amend the charter of the city of Cuthbert, and to define the powers and rights of the corporation, and of the officers thereof, and for other purposes.

Mr. Harris, from the Committee on Finance, to whom was referred a bill of the House to authorize his Excellency, the Governor of this State, to borrow sufficient money to pay off the officers and members of the General Assembly, reported that they have had the same under consideration, and propose to amend the first section by inserting, after the word "States," the words "by bonds or otherwise." After the word "officers," in the ninth line, insert the words "and other expenses." Also, after the word "contracted," in the thirteenth line, insert the words "or interest thereon;" and with these amendments they recommend that the bill do pass.

JOHN HARRIS,
Chairman.

Mr. Harris moved to take up the report, which was agreed to.

Mr. Candler offered the following amendment, to-wit:

SECTION 2. *Be it further enacted,* that the Governor shall

not be authorized to borrow more than two hundred thousand dollars, if by issuing bonds of the State, then the bonds shall not bear a greater interest than seven per cent. per annum, payable semi-annually, and shall not be sold for less than ninety cents for each dollar of the same.

After debate, Mr. Harris called for the previous question, which, being sustained, the main question was ordered upon the amendment of Mr. Candler, which was lost.

On motion of Mr. Harris the report of the committee was agreed to, the bill, as amended, was read the third time and passed.

On motion, the Secretary was directed to transmit the bill forthwith to the House of Representatives.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report:

Mr. President: The Committee on Enrollment report, as duly enrolled and signed by the Speaker of the House of Representatives and ready for the signature of the President of the Senate, the following act, to-wit:

An act to change the time of holding the Superior Courts of the counties of Catoosa and Dade, in the Cherokee Circuit, and the county of Towns, in the Blue Ridge Circuit, and of the county of Emanuel.

E. I. HIGBEE.

Chairman.

Mr. Moore, from the joint committee, appointed to examine into the books of the late Treasurer and Comptroller General, made the following report:

To the Senate and House of Representatives:

The undersigned committee appointed by a joint resolution of the Senate and House of Representatives of the State of Georgia to examine the books of the State Comptroller General and Treasurer of Georgia, beg leave to make the following report:

They have carefully and minutely examined the books of said officers, with the accompanying certificates and vouchers from the date of their last report to the General Assembly to the 13th day of January, 1868, the time of their removal from office by the military authorities of the United States. They find the books of both the Comptroller General and Treasurer properly and neatly kept. The usual certificates and vouchers for all receipts and payments, and all so neatly and systematically arranged that your committee experienced no trouble in referring to any particular item which they desired to investigate. The reports of the Comptroller General and Treasurer, which are herewith transmitted for the

information of the General Assembly, have been carefully compared with the books of said officers and found to be correct in every particular. The amount charged against the Treasurer by both the books of the Comptroller General and Treasurer, we find to be on the 13th of January, 1868, \$405,870 83, which amount so due as aforesaid, has been used by Mr. Jones in the payment of the interest on the public debt, advances to public officers, public contracts, etc., as will be more fully seen by reference to the report herewith returned. Which report your committee have also examined and find correct and accompanied by its necessary vouchers. Mr. Jones also reports as having been received by him \$17,833 38, which, owing to the confusion existing at the time of the receipt thereof, was never entered on the books. This amount has been appropriated to the payment of the interest on the public debt, and in settlement of claims against the State, as will be seen by reference to the supplementary report herewith returned, which report is accompanied by the necessary vouchers. For the information of the General Assembly, we also transmit a statement, kindly furnished us by Mr. Jones, Treasurer, showing the condition of all the bonds of the State issued since the war. This report we also find to be in conformity to the entries in the bond book of the State. From this statement it will be perceived that there are \$131,500 00 bonds of the State in the Bank of the Republic, New York; also, in the same bank, \$500,000 00 of the unfinished bonds of the State. Upon an examination of the law we find that the Governor and not the Treasurer has the control of these bonds. In conclusion, your committee recommends that the said Comptroller General and Treasurer turn over to the present Comptroller and Treasurer all the books and papers in their possession connected with their several offices, and receipt for the same with all credits examined and allowed by the committee. All of which is respectfully submitted, September 14th, 1868.

Senate—C. R. MOORE, Chairman,
J. M. COLMAN.

House—C. C. DUNCAN,
AUGUSTUS H. LEE,
DUNLAP SCOTT.

*Receipts and Payments at the Treasury of Georgia from 16th
October, 1866, to June 13th, 1868, inclusive.*

RECEIPTS.

From general tax, 1866.....	\$ 442,800	12
From general tax, 1867.....	505,707	31
From liquor tax, 1866.....	24,185	32
From liquor tax, 1867.....	1,679	63
From Circus Companies, 1867.....	1,059	50
From Insurance Companies, 1866.....	5,664	23
From Insurance Companies, 1867.....	1,052	11
From Express Companies, 1866.....	170	37
From Express Companies, 1867.....	109	95
From Banking Companies, 1866.....	558	83
From Banking Companies, 1867.....	845	72
From Railroad Companies, 1866.....	2,182	95
From Railroad Companies, 1867.....	9,295	81
From Lotteries, 1867.....	2,000	00
From sale of State bonds, 1867.....	1,798,606	83
From temporary loans, 1867.....	374,221	11
From bonds A. & G. R. R., 1867.....	165,500	00
From net earnings of W. & A. R. R., 1867..	211,000	00
From sale of Macon Reserve.....	10,000	00
From miscellaneous items.....	773	45
From balance in Treasury, October 16th, 1866	71,752	05
Total receipts.....	\$3,629,194	29

PAYMENTS:

On civil establishments of 1866.....	\$ 20,771	66
On civil establishments of 1877.....	75,222	44
On contingent funds of 1866.....	6,128	62
On contingent funds of 1867.....	15,430	74
On printing funds of 1866.....	1,021	75
On printing funds of 1867.....	16,114	90
On special appropriations, 1862 and 1863.....	13,804	00
On special appropriations, 1866.....	304,955	05
On special appropriations, 1867.....	879,897	77
On temporary loans, 1867.....	473,827	86
On legislative pay rolls, 1866.....	121,759	75
On public debts, 1867.....	1,290,265	84
On over payments of taxes, 1866.....	4,123	08

Total payments.....\$3,223,323 46

Total receipts.....\$3,629,194 29

Total payments..... 3,223,323 46

- Balance in Treasury, June 13th, 1868..... \$405,870 83

To Messrs. Moore and Colman, Senators, and Duncan, Scott and Lee, Representatives, Special Committee on accounts of late Treasurer:

GENTLEMEN: As requested by you, I embody herewith the accounts, vouchers and statements submitted to, and examined by, you on Saturday morning last, as a report of my transactions as Treasurer, and disposal of the balance charged against me by the Comptroller General as belonging to the State of Georgia, when, by military order I was removed from office.

By reference to the Comptroller's reports, it will be seen that the interest on bonds of the State of Georgia, amounting to near four hundred thousand dollars, of which about three hundred thousand is payable in New York, and between eighty and ninety thousand in Georgia, at Savannah, Augusta and the Treasury. Most of the coupons are payable in January and July, February and August. The sterling interest in March and September, (a small amount,) and a few coupons in May and November. It has been the practice as soon as the taxes were all in, and in time to meet the coupons due in January and February, to forward to the Bank of the Republic, our Financial Agent in New York, a sufficient amount, if it could be spared, to meet the interest of the entire year.

First, because at that season exchange was in favor of the South, in consequence of the cotton bills daily being drawn on produce sent forward, and the forwarding of our remittance cost us nothing. And secondly, because the advertisement in New York that funds were received, and that our coupons would be promptly met at maturity, kept the credit of the State at a high figure and enabled us to negotiate loans with little trouble and at light interest whenever the exigencies of the State required it. Following this practice, which has had the approval of all the Governors since I have been in the office, I remitted early, and during last winter, in drafts on New York, as fast as the taxes came in, until I was removed from office, funds almost sufficient to pay the interest of the entire year. I also made an arrangement with certain banks in Georgia to take up our coupons payable in Savannah, Augusta, and at the Treasury, agreeing to settle weekly or once or twice a month, as they might require. They readily granted my request, and the thanks of the people of Georgia are due them for the ready assistance afforded me in guarding the credit of the State at a time when dissension and confusion prevailed, and chaos seemed to have almost come again. I think that nearly all, or at least three-

fourths of the interest due in Georgia, up to this time, has been paid; leaving little more than the interest payable in November to be provided for.

In these transactions, I am aware that I have incurred the high displeasure of some and aroused the suspicions of others, and I was satisfied in the beginning that such would be the case, but having taken an oath to obey the laws under which I was elected and given heavy bonds for the performance of the duties of my office, I conscientiously felt that I had no right, while reason and honesty of purpose was vouchsafed to me, to act otherwise. Not the least gratifying circumstance, since my removal, has been, that although it was thought imperative that I should be removed, I have been allowed and trusted by the Commanding General and Provisional Governor Ruger, to carry out the course I had adopted, and preserve the credit and honor of the State up to the surrender of the government to the civil authorities. My personal intercourse with the provisional officers has been as pleasant as under the extraordinary state of things could be expected, and their bearing towards me has been ever that of gentlemen, to one for whom they entertain sincere respect. Their kindness will not be forgotten, nor shall they ever feel that their sympathy has been misplaced.

The balance exhibited against me by the Comptroller General, referred by the books of my office, (account marked A.)

\$404,870 83

This amount has been disposed of as follows, to-wit:

1st. Redemption of coupons in New York, as per certificate of H. W. Ford, Cashier National Bank of the Republic, of which I herewith submit a copy, (marked B.).....	\$281,392 46
2d. Coupons paid in Georgia, (marked C.).....	66,463 00
3d. Advances to officers, contractors, etc., (marked D.).....	49,291 20
4th. Receipt of H. W. Ford, Cashier, (copy) (marked E.).....	3,501 38
5th. Balance in Georgia National Bank, at Atlanta, signed by Gen. Meade, (see report of Capt. Rockwell, in Treasury.).....	5,222 79
	<hr/>
	\$405,870 83

The advances to officers are all as required by law. Those to the Lunatic Asylum, Penitentiary, and contractors, were authorized by the military order continuing the appropriations for 1867, to the following year, and were necessary to maintain the institutions of the State and carry on the repairs

to the capitol, which were allowed by the Governor to go on without interruption, and the final balance paid on completion of the contract after the funds in my hands were exhausted.

All of which is most respectfully submitted, and I am, gentlemen,

Very respectfully, etc.,

JNO. JONES, Treasurer.

[COPY.]

THE NATIONAL BANK OF THE REPUBLIC, }
NEW YORK, August 8th, 1868. }

JOHN JONES, Esq., Atlanta, Ga. :

Dear Sir—As requested by your letter of the 2d instant, I enclose herewith statement of account State of Georgia, showing balance to credit, August 6th, \$8,053 24.

We have on hand for funding past due coupons, as follow:

Bonds No. 47 to 58 inclusive, \$500 each.....	\$6,000
Bonds No. 70 to 100 inclusive, \$500 each.....	15,500
Bond No. 107.....	500
Bonds No. 439 to 450 inclusive, \$500 each.....	6,000
Bonds No. 1574 to 1600 inclusive, \$500 each.....	27,000
Bonds No. 2245 to 2300 inclusive, \$500 each.....	56,000
	<hr/>
	\$111,000

Truly yours,

H. W. FORD, Cashier.

In addition to the above, we hold—

Bonds No. 344 to 380 inclusive, \$500 each.....	\$18,500
Bonds No. 427 to 430 inclusive, \$500 each.....	2,000
	<hr/>
	\$20,500

[EXHIBIT A.]

Statement of Receipts at the Treasury from and after October 16th, 1866.

Receipts, to-wit:

On general tax of 1866.....	\$442,800 12
On general tax of 1867.....	505,707 31
On liquor tax of 1866.....	24,184 32
On liquor tax of 1867.....	1,679 63

On tax on circus companies.....	1,059 50
On tax on insurance companies, 1866.....	5,694 23
On tax on insurance companies, 1867.....	1,052 11
On tax on express companies, 1866.....	170 37
On tax on express companies, 1867.....	109 95
On tax on banks, 1866.....	558 83
On tax on banks, 1867.....	845 72
On tax on railroads, 1866.....	2,182 95
On tax on railroads, 1867.....	9,295 81
On tax on lotteries, 1867.....	2,000 00
On sale of State bonds.....	1,798,606 83
On temporary loans.....	374,221 11
On bonds of the A. & G. Railroad, 1867....	165,500 00
On net earnings W. & A. Railroad, 1867....	211,000 00
On sale of Macon Reserve.....	10,000 00
On miscellaneous items.....	773 45
Balance in Treasury, October 16th, 1866.....	71,752 05
	<hr/>
	\$3,629,194 29

Statement of payments at the Treasury of Georgia, from and after October 16th, 1866.

Payments, to-wit:

On civil establishment of 1866.....	\$20,771 66
On civil establishments of 1867.....	75,222 44
On contingent fund of 1866.....	6,128 62
On contingent fund of 1867.....	15,430 74
On printing fund of 1866.....	1,021 75
On printing fund of 1867.....	16,114 90
On special appropriations of 1863.....	13,804 00
On special appropriations of 1866.....	304,955 05
On special appropriations of 1867.....	879,897 77
On temporary loans, 1867.....	473,827 86
On Legislative pay rolls, 1866.....	121,759 75
On public debts.....	1,296,265 84
On over payment of taxes, 1866.....	4,123 08
	<hr/>
	\$3,223,323 46
Cash balance in Treasury, January 13, 1868...	405,870 83
	<hr/>
	\$3,629,194 29

ADDENDUM.

The committee appointed to examine the books of John Jones, late Treasurer, and John T. Barns, late Comptroller General, also incidentally examined the books kept by Captain

Wheaton, the Provisional Comptroller, and find that they are not of a durable character, merely having been gotten for a temporary purpose. They therefore recommend the passage of the following resolution, to-wit:

Resolved, by the General Assembly of the State of Georgia That Madison Bell, Comptroller General, be authorized to transfer the entries upon said temporary books to the books kept by Col. John T. Burns, in order that one set of books may contain the official acts of both the late Comptroller General, and that the said Madison Bell, Comptroller, etc. be authorized to employ a suitable clerk to execute said work We also recommend the same for the Treasurer.

Senate—C. R. MOORE, Chairman,
J. M. COLMAN.

House—C. C. DUNCAN,
AUGUSTUS H. LEE,
DUNLAP SCOTT.

[COPY B.]

THE NATIONAL BANK OF THE REPUBLIC, }
NEW YORK, August 21st, 1868. }

JOHN JONES, Esq., late Treasurer State of Georgia:

My Dear Sir—This Bank has paid, since January 1st, 1868, 12,811 coupons from bonds of the State of Georgia, which coupons it now holds, having paid therefor, to the debit of the State, \$275,007 50; this amount subject, however, to the correction of any errors which may appear in the settlement of the account.

Yours truly,
H. W FORD, Cashier.

In addition to the above, the account of the State was charged:

1868.

January 3.	Revenue stamp.....	\$	02
January 18.	Paid Adams' Express on package.....		75 00
January 22.	Paid for advertisement.....		1 00
February 5.	Paid for £375 remitted to London...		2,597 91
August 14.	Paid for £375 remitted to London...		2,711 03
			<hr/>
			\$5,384 96

[C.]

COUPONS REDEEMED IN GEORGIA.

18 packs of \$ 375 00 each.....	\$13,500 00
11 packs of 1,500 00 each.....	16,500 00
5 packs of 1,750 00 each.....	8,750 00
5 packs of 3,000 00 each.....	15,000 00
1 pack of 2,910 00 each.....	2,910 00
1 pack of 2,240 00.....	2,240 00
1 pack of 2,117 50.....	2,117 50
1 pack of 1,350 00.....	1,350 00
1 pack of 1,305 00.....	1,305 00
1 pack of 772 50.....	772 50
1 pack of 507 50.....	507 50
1 pack of 393 00.....	393 00
1 pack of 825 00.....	825 00
1 pack of 292 50.....	292 50
	<hr/>
	\$66,463 00

(D)

Advances to Officers, Contractors, etc.

Lunatic Asylum.....	\$10,000 00
Georgia Penitentiary.....	8,685 57
Byrd & Kolbe.....	1,000 00
Dr. B. Bly.....	290 00
Express account, Executive Department.....	13 70
R. L. Hunter.....	450 00
R. L. Hunter wood account.....	255 00
H. J. G. Williams.....	385 99
W A. Williams.....	400 00
J. G. Montgomery.....	300 00
Jas. A. Green.....	300 00
Wm. H. Scott.....	300 00
B. W Frobel.....	1,300 00
C. Vaughan.....	250 00
W C. Anderson.....	400 00
L. H. Bynum.....	300 00
A. B. Smith.....	50 00
Jas. Milner.....	400 00
A. H. Hansell.....	336 65
Wm. M. Reese.....	400 00
D. A. Vason.....	400 00
D. Irwin.....	400 00
W B. Fleming.....	625 00

Chas. J. Jenkins.....	600 00
John Jones.....	410 82
John T. Burns.....	400 00
N. C. Barnett.....	500 00
A. J. Barnett.....	450 00
Wm. Gibson.....	400 00
W. M. Sessions.....	250 00
E. H. Worrell.....	500 00
J. W. H. Underwood.....	370 29
A. M. Speer.....	400 00
A. L. Harris.....	600 00
D. A. Walker.....	600 00
H. Warner.....	600 00
W. E. Quillian.....	150 00
State House Guard.....	110 00
J. H. Adams.....	265 00
Z. D. Harrison	150 00
N. J. Hammond.....	200 00
B. A. White.....	234 00
Insurance account.....	883 75
J. Milligan, Agent.....	44 82
Advances to maimed soldiers.....	320 00
Repairs to Capitol.....	13,535 61
	<hr/>
	\$49,291 20

(E.)

(Copy.)

NATIONAL BANK OF THE REPUBLIC, }
 NEW YORK, Sept. 1st, 1868. }

John Jones, Esq., Atlanta, Georgia:

DEAR SIR: The long looked for letter of J. Milligan, Treasurer, has arrived with enclosure \$3,501 38, which I have placed, as requested by you, to the credit of the State of Georgia.

Truly yours,
 H. W. FORD, Cashier.

Money received from Tax Collectors and others, on account of dues, to the State of Georgia, arriving too late, or about the time of my removal, I could not receipt for them, or from force of circumstances, was prevented from doing so.

CASH :

1. John J. Calloway, Insurance Agent, La-Grange, Georgia.....	\$ 11 91
2. R. T. Gilbert, T. C. Dougherty, tax on Circuses	135 00
3. W. O. Edmundson, Chattooga, insurance tax \$217 75; received commission \$260 92.....	28
4. A. H. Graham, Telfair general tax \$500 00; liquor tax \$1 54.....	501 54
5. Mark L. Denn, Haralson general tax \$8 42; insurance list \$126 00; liquor tax \$1 38	9 80
6. A. L. Sluder, Walton county, liquor tax, \$10 11.....	10 11
7. W. D. Lumpkin, Walker county, liquor tax, \$2 36	2 36
8. John Stone, Gilmer county, liquor tax, \$2 19	2 19
9. H. L. Tison, Schley county, liquor tax, \$3 60.....	3 60
10. J. C. Guilford, Quitman general tax, \$1,750; check on Savannah.....	1,750 00
11. W. F. Sears, White county general tax, \$1,614 38; received commission, \$148 42; liquor tax, \$2 45	1,616 83
12. W. W. Hindman, Campbell county general tax, \$2,013 42; rec'd commission \$253 92	2,013 42
13. James A. Poppell, Apling general tax, \$188 18.....	188 18
14. J. M. Stokes, Pulaski general tax, \$288 50	288 50
15. Wm. Barrett, Towns general tax, 360 00...	360 00
	<hr/>
	\$ 6,893 72

Over payments due Tax Collectors for which I have received an executive warrant and paid part, as the collectors sent in their settlements for 1867.....	\$ 1,088 67
114 bonds of Baldwin county, \$100 each, issued to pay for building Oconee bridge, called Oconee Bridge Bonds, paid to holders of warrants, at 80 per cent., \$11,400 00 at 80c	9,120 00
Premiums received on exchange of old for new bonds.....	740 00
	<hr/>
	\$17,833 39

CREDIT :

By advances to contractor for building Oconee bridge.....\$ 5,198 38
 By coupons redeemed in Georgia... 12,735 00 \$17,833 38

The bonds issued since the end of the war were, first twenty 7 per cent bonds of \$5,000 each, dated 1st December 1865, payable at five years from date, interest semi-annually in June and December, without coupons, signed by James Johnson, Provisional Governor, and John Jones, Treasurer Of these, six only were sold (by John P King, agent at Augusta,) and afterwards being put on the same footing by order of Governor Jenkins, with the convertible bonds mentioned below were funded in mortgage bonds of the Western and Atlantic Railroad and canceled, amounting to \$ 30,000

The other fourteen were returned unsold and canceled..... 70,000

\$100,000

Secondly there being of too large amount to be conveniently sold, one thousand bonds of \$500 each, dated 1st February 1866, convertible at the option of the holder into such bonds as the Legislature might thereafter authorize, were ordered by Governor Jenkins, and prepared for issue temporarily until the Legislature, then about to assemble, should decide whether to issue bonds or treasury notes; of these 515 were sold by the different agents of the State funded in over due bonds and coupons, and amount to.....\$ 257,500

Of these 463 have been funded in mortgage bonds 231,500

Leaving yet outstanding 52 bonds, amounting to... 26,000

Which are authorized to be exchanged for that amount of mortgage bonds if presented before all are disposed of as directed by law.

Thirdly, the seven per cent. mortgage bonds of the Western and Atlantic Railroad, dated 1st July, 1866, and due 20 years from date, ordered by the Legislature in an act dated ——— 1866; of these were printed for the first series 2,800 of \$1,000 each, making.....\$ 2,800,000

And of the second series, 1,600 of \$500 each..... 800,100

The whole issue amounting to.....\$ 3,600,000

Of these the Governor caused to be prepared for the purpose of taking up over due bonds and coupons of the State, of which a large amount has accumulated during the war.....	2,230
Of the first series (\$1,000 bonds) amounting to...	2,230,000
And the entire second series (\$500 bonds) amounting to.....	800,000
	<hr/>
The whole amount issued at that time being.....	3,030,000
Leaving unsigned 570 of the \$1000 bonds or.....	570,000

Which last, by an act of the Legislature of the 13th December, 1866, ordered to be prepared for issue for the purpose of taking up old 6 per cent. bonds of the State of Georgia, falling due in 1868, 1869 and 1870. They were prepared as far as could be done in Georgia, and sent to the two Trustees in New York, Messrs. Robert H. Lowry, and George B. Carhart, who completed only seventy of them or \$70,000, which, with the bonds first issued for sale and redemption of over due bonds and coupons, remaining unsold at home and in New York, at the last annual settlement, say \$134,000 made of perfect bonds about two hundred and four thousand \$204,000, which were thought sufficient at that time and until the demands of holders of fundable bonds and coupons, should require the signing up of the five hundred incomplete bonds.

After my report of 16th October, 1867, and before I was removed from office, I took up of fundable bonds and coupons \$72,500, part of which were exchanged for bonds in Georgia, and the rest by an order on the Trustees in New York, leaving now in the hands of the Trustees, as per certificates of H. W. Ford, Cashier, National Bank of the Republic, \$131,500.

The bonds and coupons taken up are now in my hands and I should have received a warrant from Governor Jenkins for this amount, and delivered to the Comptroller General, my certificate of that amount coming into the Treasury from funding of State bonds. It was not done at the time, because it has been the practice at the Treasury for many years, long before I came into the office, to take one warrant and certificate for the entire transaction of the year in the payment or funding of bonds and coupons.

JOHN JONES, late Treasurer.

Mr. Moore, moved to take up the report, which was agreed to, and on motion, the resolution accompanying the same, was adopted and ordered to be transmitted forthwith to the House of Representatives.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President : The Committee on Enrollment report as duly enrolled, and ready for the signatures of the President of the Senate, and Speaker of the House of Representatives, the following acts and resolution, to-wit :

An act to repeal an act assented to December 16th, 1857, entitled an act to repeal the second section of an act to amend an act entitled an act to give all persons employed on steamboats and other water-craft on the Chattahoochee, Altamaha and Ocmulgee Rivers, a lien on said steamboats or other water-craft, for his, her or their wages, and for wood and provisions furnished, and to point out and facilitate the mode of collection of the same, assented to December 11th, 1841, so as to include the Savannah river within the provisions of the same, and for other purposes, assented to December 27th, 1842.

Also, an act to protect the planters of this State, from imposition in the sale of fertilizers.

Also, a resolution directing the Superintendent of Public Works, to have assorted and arranged, the documents and records of the State of Georgia at Milledgeville, so as to insure their safety.

E. I. HIGBEE,
Chairman.

The Senate then took up the special order for the day, the same being the bill of the House to loan the credit of the State to the Georgia Air Line Railroad Company.

After debate, Mr. Holcombe, moved that the bill do now pass, pending the consideration of which, the rules were suspended, and Mr. Speer, offered the following resolution which was unanimously adopted, to-wit :

Whereas, the Senate has received information from the House of Representatives, of the death of Honorable W A Ballard, a representative from the county of Monroe, accompanied by resolutions of the House, expressive of its regard for the memory of the deceased ; therefore,

Resolved by the Senate, That the message of the House and accompanying resolutions be entered upon the Journal of the Senate, and as a further evidence of our regret for the death of the deceased, and respect for his memory, the Senate do now adjourn until to-morrow.

The following resolution of the House of Representatives, was taken up and read.

A RESOLUTION

In relation to the death of the Honorable W A Ballard.

Whereas, the House of Representatives, has heard with mingled feelings of surprise and regret, the tidings of the sudden demise of the Honorable W A. Ballard, a member of this body from the county of Monroe, which occurred this day in the city of Atlanta. Twice has the hand of death invaded our midst within the past few weeks, and removed from these legislative halls, two of our fellow-members, thus depriving us and the country, of their timely wisdom and assistance, in this time of great peril; these dispensations of Providence, remind us how uncertain is the tenure of our lives, how important to be prepared for that change, which sooner or later comes to all; be it therefore,

Resolved, That we deeply deplore the death of the Honorable W A. Ballard, representative from the county of Monroe, and sympathize with his bereaved family in the affliction which has so suddenly deprived them of his care and protection.

Resolved, That a committee of three members of this House be appointed to accompany the remains of the deceased member to the family burial place in Jasper county.

Resolved, That the House do now adjourn until to-morrow morning nine o'clock, in respect to the memory of the deceased member.

Resolved, That a copy of these resolutions be transmitted by the Clerk of this House to the family of the deceased.

The President then announced the Senate adjourned until to-morrow morning at 9 o'clock.

 SENATE CHAMBER,

ATLANTA, GEORGIA,

WEDNESDAY, September 16, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Nott.

The roll was called, and the Journal of the previous day read and approved.

On motion, the rules were suspended, and Mr. Speer introduced the following bill, which was read the first time, to-wit:

A bill to compel tax payers of this State to pay their taxes at their respective county sites, whenever the Tax Collector shall require it.

Mr. Candler, from the Committee on the Judiciary, made the following report:

Mr. President:—The Judiciary Committee, to whom was referred a bill to authorize the Universal Life Insurance Company to make investments in the State of Georgia, have had the same under consideration, and recommend that it do not pass.

Also, a bill for the relief of Davis P. Vickory, of Coweta county, which they recommend do not pass.

Also, a bill to alter and amend the laws upon the subject of divorce, which they recommend do not pass.

Also, a bill to provide for the manner and time of hearing and determining causes by writ of *quo warranto*, which they recommend do pass.

Also, a bill to authorize the Court to render judgment in all civil cases founded on contract, at the first term, unless an issuable defence is filed on oath, which they recommend do pass.

Also, a bill for the relief of securities, which they recommend do pass.

Also, a bill creating a new judicial circuit, and to fix the time of holding the Courts for the same, which they recommend do not pass.

Also, a bill to fix the salary of the clerk in the office of Secretary of State, which they recommend do not pass.

Also, a bill of the House of Representatives, to charter the Georgia Mutual Life and Fire Insurance Company, which they recommend do not pass.

Also, a bill for the relief of A. L. Sutherland, of the county of Whitfield, which they recommend do not pass.

Also, a bill to incorporate the Citizens' Bank at Dalton, Georgia, and to define the privileges of said incorporation, which they recommend do pass.

M. A. CANDLER,
Chairman *pro tem*.

On motion of Mr. Smith, of the 36th District, the rules were suspended, and the Senate took up and concurred in the following resolution of the House of Representatives, to-wit:

A resolution authorizing the Governor to draw funds from the Treasury to pay the several committees' expenses for visiting the State institutions.

Mr. Winn, Chairman of the Committee on General Education, made the following report:

Mr. President:—Your committee, to whom was referred an act to repeal an act to educate maimed Confederate soldiers, have had the same under consideration, and recommend that the same do not pass.

Also, a petition of teachers of Richmond county, asking to be paid for rooms rented for school purposes.

As your committee cannot see how the State or any county thereof, is liable for rent of rooms for educational purposes, they report adversely to the prayer of the petition.

Your Committee find from the able report of Andrew A. Lipscomb, Chancellor, addressed to His Excellency, the Governor, that the University of Georgia is in a flourishing condition, with a cash balance of \$9,048.9 on hand.

We are gratified to see that this time honored University has nobly seconded the purpose of the State to educate our maimed Confederate soldiers, and urge the payment of their certificates therefor at the earliest possible moment.

WM. T. WINN,
Chairman.

Mr. Candler, from the Committee on the Judiciary, made the following report :

Mr. President : The Judiciary Committee, to whom was referred the bill of the House of Representatives for the relief of William S. Moughon, of the county of Bibb, from double taxation on his Dougherty county plantation, for the year 1867, have had the same under consideration, and recommend that it do pass.

Also a bill to change the law of evidence, which they recommend do not pass.

Also, a bill to amend sections 2530 and 2531st, of the Code of Georgia, for the benefit of helpless and dependent adult heirs, which they recommend do not pass.

Also, a bill to compel the collection of the unpaid tax due for the year 1867, which they recommend do pass.

Also, a bill to provide for the election of Justices of the Peace and Constables, which they propose to amend by striking out the words "two constables," in the first section, and insert the words "one constable," and with this amendment, they recommend it do pass.

Also, a bill to exempt maimed men of this State from paying poll tax, which they recommend do not pass.

Also, the Senate bill, to fix the salaries of the Justices of the Peace, Notaries Public, Bailiffs and Constables, which they recommend do not pass.

Also, a bill to exempt lawyers and physicians from the

levy and collection of a specific tax, which they recommend do not pass.

Also a bill to change the terms of the Superior Court for the county of Macon, which they report back without recommendation.

Also, a bill to authorize the several Judges of the Superior and District Courts of this State to pay attorneys appointed by them to defend persons charged with crime under certain circumstances, which they recommend do not pass.

Also, a bill to alter and amend section 4487, of Irwin's Code, which they recommend do not pass.

Also, a bill to incorporate the Etowah Canal, and water works, which they report back without recommendation.

M. A. CANDLER,
Chairman *pro tem*.

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit:

Mr. President: I am directed by the Governor, to deliver to the Senate a communication in writing with accompanying documents:

The Senate resumed the unfinished business of yesterday, the same being the House bill, to loan the credit of the State to the Georgia Air Line Railroad Company.

Mr. Nunnally offered the following amendment to come in after the words, Georgia Air Line Railroad Company, "and the Savannah, Griffin and North Alabama Railroad," also, to strike out the words, "twelve thousand" and insert the words, "ten thousand" in lieu thereof.

After debate, Mr. Burns called for the previous question, which being sustained, the main question was ordered upon the amendment of Mr. Nunnally, which was lost.

The question then recurred upon the passage of the bill, whereupon the yeas and nays were required to be recorded.

Those who voted in the affirmative are, Messrs :

Adkins,	Hicks,	Nesbitt,
Anderson,	Higbee,	Richardson,
Bowers,	Holcombe,	Sherman,
Brock	Jones,	Smith, 7th Dist.,
Burns,	Jordan,	Smith, 36th Dist.,
Candler,	Lester,	Speer,
Colman,	Merrill,	Stringer,
Corbitt,	McArthur,	Wellborn,
Dickey,	McCutchen,	Welch,
Fain,	McWhorter,	Winn,
Griffin, 6th Dist.,	Moore,	Wooten.
Harris,		

Those who voted in the negative are, Messrs :

Collier,	Hinton,	Nunnally.
Griffin, 21st Dist.,		

Yeas, 34 ; nays, 4. So the bill was passed.

The following message was received from the House of Representatives, through Mr. Hardin, their clerk.

Mr. President : The House of Representatives have passed the following bill of the Senate, to-wit :

A bill to be entitled an act to incorporate the Nutting Banking Company, in the city of Macon by a vote of 127 in the affirmative, to 1 in the negative.

They have also concurred in the following resolution of the Senate.

A resolution to give Mrs. Charles G. Williams, of Columbus, and Miss M. J. Green, of Resaca, Trustees of the Memorial Burying Ground, a free ticket over the State Road, and for other purposes.

The Senate then took up the special order for the day, the same being the bill to loan the credit of this State to the South Georgia and Florida Railroad, to which a substitute was offered by Mr. Smith, of the 7th District, under same title.

After debate, Mr. Speer called for the previous question, which being sustained, the main question was ordered upon the passage of the substitute, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adkins,	Griffin, 6th Dist.,	Nesbitt,
Anderson,	Harris,	Richardson,
Bowers,	Hicks,	Sherman,
Brock,	Higbee,	Smith, 7th Dist.
Candler,	Holcombe,	Smith, 36th Dist.,
Colman,	Lester,	Speer,
Corbitt,	McArthur,	Wellborn,
Dickey,	McCutchen,	Welch,
Fain,	McWhorter,	Winn,
Graham,	Moore,	Wooten.

Those voting in the negative are Messrs.

Burns,	Hinton,	Jones.
Collier,		

Yeas, 30 ; nays, 4. So the substitute was passed.

The Senate then took up as the unfinished business, the bill to prevent stock from running at large.

The Committee on Agriculture and Manufactures, to

whom this bill was referred, reported the same back with the recommendation that it do not pass.

On motion, the bill was laid on the table.

On motion, the rules were suspended, and Mr. Smith, of the 7th District, offered the following resolution, which was adopted, to-wit :

Resolved, That T. G. Campbell, Sr., and George Wallace, who have been declared ineligible to seats on this floor, be paid per diem and mileage up to the time so declared.

The Senate then took up the bill to amend the charter of the Macon and Augusta Railroad Company.

The Committee on Internal Improvements, to whom this bill was referred, reported in favor of its passage.

The report of the Committee was agreed to, the bill read the third time and passed.

The Senate took up the bill to increase the capital and define the powers of the Georgia Railroad Banking Company.

The Committee on Internal Improvements, to whom this bill was referred, recommend that the same do pass.

Mr. Holcombe offered to amend as follows :

“Provided, That this act shall not authorize the company to build or construct their road within twenty miles of any chartered company in a parallel direction, but may cross any road as often as may be deemed necessary.”

After debate, Mr. Holcombe, called for the previous question, which being sustained, the main question was ordered upon the amendment of Mr. Holcombe, which was lost.

The question then recurred upon the passage of the bill.

The report of the committee was agreed to, the bill read the third time and passed.

On motion of Mr. Nunnally, the Secretary was directed to transmit the same forthwith to the House of Representatives.

The Senate then took up as the report of the Committee of the Whole, the bill to incorporate the Georgia Masonic Mutual Life Insurance Company.

The report of the committee was agreed to, the bill read the third time and passed.

The Senate took up the bill to incorporate the Etowah Canal and Water Works Company.

The Judiciary Committee, to whom this bill was referred, reported the same back without recommendation.

On motion, the bill was laid on the table.

On motion of Mr. Speer, the rules were suspended, and

the Senate took up the bill to provide for the payment of costs in insolvent criminal cases in certain counties therein mentioned.

The Judiciary Committee to whom this bill was referred, reported the same back without recommendation.

Mr. Wooten moved to amend by inserting the word Hancock, before the word "Terrell," which was agreed to.

Mr. McArthur moved to amend by inserting after the word "Muscogee," the word "Richmond," which was agreed to.

Mr. Colman moved to further amend by inserting the word Glynn after the word "Richmond," which was agreed to.

The bill, as amended, was read the third time, and passed.

On motion, the rules were suspended, and Mr. Lester offered the following resolution, to-wit:

Resolved, That a motion to suspend the rules shall not, hereafter, be debatable, and a suspension for the same purpose shall not be moved more than once on the same day.

Mr. Burns offered the following as a substitute, which was lost, to-wit:

Whereas, many Senators take up much of the time of the Senate in making Buncombe speeches: therefore, be it

Resolved, That, in order to expedite business, hereafter we hold all sessions with closed doors, and that no reporters be allowed to be present during any future sessions.

The question was then put upon the resolution of Mr. Lester, which was adopted.

On motion, the rules were suspended, and Mr. McArthur offered the following resolution, which was adopted, to-wit:

Whereas, the Great Seal of the State is much worn and defaced; therefore, be it

Resolved, by the Senate and House of Representatives of the State of Georgia, That the Secretary of State be authorized to have the said Seal re-engraved and renewed, with the same devices as now prescribed by the 81st section of the Code, and none other.

The Senate then took up the bill to authorize and require the Governor to declare all executive, judicial and ministerial offices of this State vacant, where the persons elected cannot qualify and take their commissions on account of being disqualified under the fourteenth article of the Constitution of the United States.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the Committee was agreed to, the bill read the third time, and lost.

The Senate took up, as the report of the Committee of the Whole, the bill as to insolvent costs.

The report of the committee was agreed to, the bill read the third time, and passed.

The Senate took up the bill to exempt from taxation all foreign capital invested in the manufacture of cotton, wool, or other fibrous material.

The Committee on Internal Improvements, to whom this bill was referred, reported adversely to its passage. The bill was read the third time, and, on motion of Mr. Burns, was laid on the table for the present.

The Senate took up the bill to declare the charter of the city of Darien inoperative and void.

The Committee on Petitions, to whom this bill was referred, reported adversely to its passage.

The report of the Committee was agreed to, the bill read the third time, and lost.

The Senate took up, as the report of the Committee of the Whole, the bill to authorize the Governor to appoint a Tax Receiver to fill a vacancy occasioned by the death of William R. Hopkins.

On motion, the bill was postponed indefinitely.

The Senate then took up the joint resolution to authorize the acceptance of the charter of the Bank of Savannah.

The Judiciary Committee, to whom this resolution was referred, reported the same back, with the recommendation that it be adopted.

The report of the Committee was agreed to. Upon the adoption of the resolution, the yeas and nays were demanded.

Those voting in the affirmative, are Messrs :

Candler,	Jones,	Smith, 7th District,
Fain,	Lester,	Smith, 36th Dist.,
Griffin, 6th Dist.,	McArthur,	Speer,
Hicks,	McWhorter,	Wellborn,
Higbee,	Sherman,	Wooten.
Hinton,		

Those voting in the negative, are Messrs :

Anderson,	Corbitt,	Nunnally,
Bowers,	Dickey,	Richardson,
Burns,	Holcombe,	Welch.
Colman,	McCutchen,	Winn.

Yeas 16 ; nays 12. So the resolution was adopted.

The Senate then took up the bill to organize the District Court, define its jurisdiction, and for other purposes, for which the Committee on the Judiciary offered the following as a substitute, to-wit :

A BILL

To be entitled an Act to authorize the Justices of the Peace in the County Town Districts of the several Counties of this State to try all penal offences known to this State except such as are punishable either by death or imprisonment in the Penitentiary.

SECTION 1. *Be it enacted by the Senate and House of Representatives, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall and may be lawful for the Justices of the Peace living in the town districts of the several counties of this State, to try all offences committed against the laws of this State, except such offences as are punishable by death or imprisonment in the penitentiary.

SECTION 2. *Be it further enacted,* That the Justices of the Peace in the town districts shall hear and determine each case (not civil) that may come before him immediately, unless good cause be shown authorizing a continuance; and in no event shall a continuance be allowed for any time longer than is required, with proper diligence, to secure the attendance of the witnesses for and against the accused.

SECTION 3. *Be it further enacted,* That offences shall be tried before said Justice of the Peace on a written accusation founded on affidavit. Said affidavit shall distinctly set forth the nature of the offence, when committed, etc., and the accusation shall follow the affidavit, and shall be signed by the accuser.

SECTION 4. *Be it further enacted,* There shall be no jury trial before said justice except when demanded by the accused, in which case the jury shall consist of seven men; and in the event the accused shall demand to be tried by a jury, the said justice shall be assisted by his bailiff, shall proceed forthwith to draw a jury and have the same summoned, and shall proceed to try the offender as soon as the jury can be assembled.

SECTION 5. *Be it further enacted,* That if, in the opinion of the justice, any case may be brought before him, requiring (that the ends of justice may be secured) the assistance of legal ability, it shall and may be lawful for said justice to appoint some competent attorney to represent the State, and shall issue an order upon the county treasurer for a reasonable compensation for such service rendered in behalf of the State. *Provided,* That this discretion shall never be exercised by said justice unless the accuser shall first swear that from poverty he is unable to employ counsel to prosecute.

SECTION 6. *Be it further enacted,* That the justice shall re-

ceive five dollars for each case tried, which sum shall be paid by the accused where convicted, and it shall be the duty of the officer making the arrest to levy on a sufficiency of the property of the accused to pay the cost. *Provided*, in no event shall the accused be required to pay the cost unless convicted.

SECTION 7 *Be it further enacted*, That it shall be the privilege of the defendant to sue out a writ of *certiorari* from the decision of said justice, under such rules and regulations as is now prescribed for suing out *certioraris* in civil cases. *Provided*, that no writ of *certiorari* shall be granted unless the accused shall have filed his affidavit, setting forth that he is advised and believes that he has not had a fair and impartial trial, and that he has been wrongfully and illegally convicted.

SECTION 8. *Be it further enacted*, That when the accused shall have demanded a jury trial, and shall have been convicted by the same, it shall, and may be, and is hereby made the duty of the justice presiding to grant a new trial upon the motion of the accused or upon the motion of his counsel. *Provided*, in the opinion of said justice, the finding of the jury is strongly and decidedly against the weight of evidence. And in the event a new trial is awarded by the justice, the justice shall forthwith draw a new jury and the case shall be re-heard within three days from the granting of said new trial; and should the second jury find the accused guilty, it shall not be in the power of said justice to grant a second new trial, but the finding of the jury shall be final and conclusive, unless the finding is reversed and corrected under a writ of *certiorari*.

SECTION 9. *Be it further enacted*, That this bill is designed to take the place of the District Court, as required by the Constitution of this State, and that said court shall be considered always in session.

SECTION 10. Repeals conflicting laws.

Mr. Hinton offered the following as a substitute for the whole, to-wit:

A BILL

To be entitled an Act to organize the District Court and define its jurisdiction, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Georgia*, That there shall be organized in each Senatorial district in this State a court to be styled the District Court, the judge of which shall be known as District Judge. For said court there shall be in each district a prosecuting officer to be called District Attorney.

SECTION 2. The District Judge and Attorney shall be appointed by the Governor, with the advice and consent of the Senate, and hold their offices for the period of four years. The salary of the District Judges shall be one thousand dollars, and that of the District Attorneys five hundred dollars per annum—both on the specie basis.

SECTION 3. There shall be levied in the several counties composing each Senatorial district, such a tax upon the taxable property returned therein as together will raise an amount sufficient to pay the salaries of the District Judges and Attorneys of said districts, which shall be paid into the county treasuries of each county, respectively, and by the county treasurers paid to said officers in quarterly payments.

SECTION 4. The clerks of the Superior Courts of the several counties composing each Senatorial district shall be ex-officio clerks of the District Court, to act in their respective counties. It shall be the duty of the sheriff and his deputies to attend the sessions of the District Courts sitting in their counties, and execute any writ, process or order of the same, as in the Superior Court. The clerks, sheriffs and deputies, for services rendered in said courts, shall receive the same fees as now allowed by law for like services in the Superior Courts.

SECTION 5. The District Judge, at the time of his appointment as such, shall not be less than twenty-five years of age and have resided in the district for which he is appointed at least one year. The District Attorney, at the time of his appointment as such, shall have arrived at the age of twenty-one years, have been for one year a resident of the district and be a practicing lawyer. Before entering upon the discharge of their respective duties, the District Judge shall take the oath prescribed for Judges of the Superior Courts, and the District Attorney that for Solicitors General.

SECTION 6. The District Judge shall hold his court in each county, composing the district in which he is Judge, once in each month for the trial of offences, and for the hearing of applications, for the eviction of trespassers, intruders and tenants holding over, for the partition of personal property, for the trial of possessory warrants, proceedings under distress warrants, and habeas corpus cases. The times at which said courts shall be held in each county shall be fixed by the District Judge, notice of which shall be given by publication in the gazettes in which sheriff's sales are published for said counties, for thirty days before the first sitting. The times for the sittings of the courts shall not be changed by said judges, except notice be given as herein before provided.

SECTION 7. The District Court shall have jurisdiction to

hear and determine all offences not punishable with death or imprisonment in the penitentiary, which shall be tried on written accusations setting forth plainly the offences charged, shall be founded on affidavit, contain the name of the accuser, and be signed by the District Attorney. The proceedings, after the accusation, shall conform to the laws and rules governing in the Superior Court in similar proceedings, except there shall be no jury unless demanded by the accused, in which case, the jury shall consist of seven, to be selected as hereinafter provided.

SECTION 8. That if any offence is charged which is in the jurisdiction of the District Court, and upon the trial thereof, it shall appear that the crime committed is of a grade beyond its jurisdiction, the trial thus begun, shall be regarded as if before a court of enquiry, and be disposed of accordingly.

SECTION 9. That every accusation in the District Court shall be in order for trial at the session at which it is preferred, but it shall be the duty of the Judge to allow reasonable time to both parties to summon witnesses, and to the defendant to procure counsel.

SECTION 10. That if the accused has no counsel, and is unable to employ counsel, it shall be the duty of the Judge to assign counsel to the accused, and issue subpoenas for such witnesses for his defence, and if necessary compel their attendance.

SECTION 11. That the District Judge shall have power to use the county jail of the county in which the trial is had, or judgment rendered, for the detention of accused parties, and for the punishment of those convicted of offences, or guilty of contempt. Commitments by the District Judge shall be lawful warrants to the jailer, and be by him obeyed.

SECTION 12. All civil cases, at the monthly sessions, shall be tried by the Judge, without the intervention of a jury, unless demanded by one of the parties to the record.

SECTION 13. Certioraris may be had under the sanction and order of the Judge of the Superior Courts of the circuit in which is the county the case is heard in, all cases, civil and criminal, heard at the monthly sessions upon the petition in writing to said Judge, of the party complaining of error, in ten days after the trial, with notice to the opposite party, or his attorney, and in criminal cases, to the District Attorney, which petition shall state the ground of complaint, and give a brief of the material evidence, which writ of certiorari being delivered to the District Judge, it shall be his duty to send up to said Judge of the Superior Court, properly certified, a copy of the proceedings of the District Court in the case, with a statement of the material evidence, and the Judge

of the Superior Court shall hear and finally determine the same at chambers or the session of the Superior Court as may to him seem proper. Upon hearing the return to the writ of certiorari in criminal cases, the Judge of the Superior Court may either grant a new trial or pass such judgment or sentence as in view of the whole case is consistent with justice. Upon notice to the District Judge of the application by a defendant in a criminal case for the writ of certiorari, the sentence shall be suspended for ten days, and if the writ be issued, then until the same is decided.

SECTION 14. When any criminal case is carried up by certiorari, it shall be the duty of the District Attorney to prosecute the same for the State in the Superior Court.

SECTION 15. As soon as practicable after the appointment and qualification of the District Judges, it shall be their duty severally to procure a list of persons selected for jurors for the Superior Courts in the counties composing the several districts, and placing the names on separate slips, deposit them in a jury box, to be provided by them for their courts in each county of their district, which names shall constitute the list from which the juries for their courts shall be drawn. At every fourth monthly session of their courts, it shall be the duty of the District Judge to draw from said box the names of twelve persons who shall be summoned by the sheriff or his deputy, to serve as jurors at the next three succeeding monthly sessions of the court. From which twelve persons, if in attendance at the next term of the court, a jury of seven shall be sworn for the trial of all cases at said session and the next two succeeding. If from any cause there be not seven of the said twelve persons, so summoned as aforesaid, present at the said session, the District Judge shall cause to be summoned a sufficient number of talis jurors, who have been selected, as qualified jurors in said county, to make up the jury of seven.

SECTION 16. The jurors serving in the district courts shall take the same oaths as is provided for like jurors in the Superior Courts, and they shall be paid in the same manner.

SECTION 17. The District Judge shall have authority within his district to issue bail process in civil cases, admit to bail in criminal cases, issue attachments, foreclose mortgages on personal property, issue warrants of distress for rent, issue possessory warrants, writs of habeas corpus, and any other writs or warrants, authorized by law, and not within the exclusive jurisdiction of some other court or officer. He may attest contracts or deeds of registry, administer oaths, and exercise all the powers of a Justice of the Peace, in mat-

ters civil and criminal, and issue warrants requiring offenders to be brought before some other judge or justice, but he shall not set singly or in conjunction with others as a court of enquiry.

SECTION 18. The District Court shall be a court of record. It shall be held at the court house of each county. It shall be the duty of the clerk to keep the minutes of the court and record its proceedings, and issue its orders and processes, as in the Superior Courts.

SECTION 19. The Clerk of the Court shall keep a subpœna docket, a docket for civil cases generally, a criminal docket, and execution docket.

SECTION 20. All laws in conflict with this act are hereby repealed.

On motion of Mr. Wooten, the Secretary was directed to have fifty copies of the substitutes printed for the use of the Senate; and the bill was made the special order for Friday morning next, immediately after the reading of the Journal.

On motion, the Senate adjourned until to-morrow morning at nine o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

THURSDAY, September 17th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Hinton, Honorable Senator from the 24th District.

The roll was called, and the Journal of the previous day read, and approved.

Mr. Griffin, of the 21st District, asked permission to record his vote in the negative, on the bills to loan the credit of the State to the Georgia Air Line, and the South Georgia and Florida Railroad Companies, as passed on yesterday

Messrs. Merrill and Stringer, requested permission to record their votes in favor of the above bills, all of which was granted by the Senate.

Mr. Candler, from the Committee on the Judiciary, made the following report :

Mr. President : The Judiciary Committee to whom was referred a bill to give to persons who may be employed in

and about any steam saw mill located in the State of Georgia, or to any person or persons who may furnish any steam saw mills so located with timber, saw logs, or provisions, or with anything necessary to carry on the work of said mill, a lien of the highest dignity upon said mill for dues, wages, debts or demands, that he or she or they, may have against the owner, agent or lessee of said mill, have had the same under consideration, and recommend that the same do pass.

The following bill of the House, they recommend do not pass, to-wit :

A bill to consolidate the offices of Receiver of Tax Returns and Tax Collector, for the county of Charlton.

Also, a bill to fix the salaries of Judges of the District Court and District Attorneys, which they recommend do not pass.

Also, a bill to authorize confessions of judgment in certain cases, and to regulate the same, which they recommend do not pass.

A resolution to authorize and require the Governor to appoint three fit and proper persons to represent the stock of the State of Georgia in the elections of the Atlantic and Gulf Railroad Company, which they recommend do not pass.

Also, a bill for the relief of William Rogers and the estate of Robert Rogers, deceased, of Milton county, which they recommend do not pass.

M. A. CANDLER,
Chairman *pro tem*.

Mr. Higbee, from the Committee on Enrollment, made the following report :

Mr. President : The Committee on Enrollment report as duly enrolled, and ready for the signatures of the President of the Senate, and Speaker of the House of Representatives, the following act.

An act to be entitled an act to incorporate the Nutting Banking Company in the city of Macon.

Also, a resolution to give Mrs. Charles G. Williams, of Columbus, and Miss M. J. Green, of Resaca, Trustees of the Memorial Burying Ground, a free ticket over the State Road, and for other purposes.

E. I. HIGBEE,
Chairman.

The following message from His Excellency, the Governor, was taken up and read :

EXECUTIVE DEPARTMENT,
ATLANTA, GA., September 15th, 1868.

To the Senate :

Your Secretary has presented me the following :

"Whereas, The Senate having declared T. G. Campbell, who has held a seat as Senator from the Second Senatorial District, is ineligible to his seat, and that George Wallace, who has held a seat as Senator from the Twentieth Senatorial District, is ineligible to his seat as such. Therefore,

Resolved, That the two persons in said Senatorial Districts, respectively, who received the next highest number of votes to the persons declared ineligible by the Senate, if eligible, are entitled to their seats as Senators from the Second and Twentieth Senatorial Districts.

Resolved, That His Excellency, the Governor, be respectfully requested to transmit to the Senate, a statement of the election returns for Senators in the Second and Twentieth Senatorial Districts of this State."

Being by the above resolution, requested to participate in an act, which I conscientiously believe to be unconstitutional, it is due to my convictions of responsibility under my oath of office, either to decline complying with that request, or upon a compliance, to make known that I do so only in deference to the voice of the Senate ; and to respectfully present the reasons which lead me to a conclusion opposite to that entertained by your body.

Some of these reasons were presented in a communication to the House of Representatives a few days since, and to this I desire to add but a few words.

It has been argued that the members of the Convention who framed the Constitution, intended that colored men should be excluded from the privilege of holding office, and that the majority of the members understood that the Constitution *did not* expressly confer that privilege, and that therefore, it did not exist.

Having been myself, a member of that Convention, familiar with its organization and action, I feel at liberty to say that the argument above alluded to, is not well founded, and that it is not sustained by the records of the Convention.

The great question that presented itself to the members of the Constitutional Convention, when assembled, was, "How can we best establish a government for the State, under the spirit and letter of the laws by which we are assembled, that shall ensure its being and remaining in full accord with the Constitution and government of the United

States, and at the same time, secure for our State, internal tranquility and prosperity?"

This could only be done by disqualifying and disfranchising for official positions, and from the franchise, the large class of persons who had exhibited opposition to the government, first by armed rebellion, and later by refusing propositions which had been made, looking to restoration, by declining for themselves, and by urging others to abstain from participation in the election of delegates, and restricting privileges of office, and of the franchise exclusively to those who had evinced a desire for restoration to harmonious relations with the general government, or by adopting the more liberal and republican policy of giving the ballot freely to all men, and with but few limitations, leaving the electors to be the judge of the qualifications of the person whom they might see fit to select by their votes to represent them.

Assuming that if all the male inhabitants of the State had a free voice and place in the new State government, the majority would keep it in harmony with the national administration; and that where *all* enjoyed equal civil and political rights, none could have just cause for disqualification. The latter course was very properly adopted.

That this was done in good faith and with a full understanding by a majority of the members of the convention; that colored men were no less eligible than white men, is clearly demonstrated by the journal of their proceedings.

Confining the argument simply to the eligibility to membership of the General Assembly, we find that by Section 3., Paragraph 3., of Article 1., "Representatives shall be citizens of the United States * * * * who *after the first election* under this Constitution shall have been citizens of this State for one year. * * * * *

This section declared who should be eligible *after the first election*; and that there should be no doubt left as to who were eligible *at the first election*. The convention on the 24th of February, instructed the Judiciary Committee to report "an ordinance declaratory of the qualification of members of the General Assembly *at the first session thereof*, * * * and that Senators and Representatives shall be citizens of the United States * * * who have been *inhabitants*, of the State of Georgia for a period of six months * * *." The word "*inhabitant*" was purposely used, believing that sticklers for "State rights" doctrine would hold that the colored man did not become a *citizen* of Georgia until made so by our Constitution, and that therefore, if required to be a

citizen six months previous to the election, *that* requirement would exclude the negro.

The statement that this belief was well founded is sustained by the fact, that a motion was made to strike out of the ordinance, the word "inhabitant" and insert "citizen."

On this motion, the yeas and nays were called, resulting in 44 yeas, and 63 nays.

It was therefore clearly the opinion of the forty-four, that the use of the word "*inhabitant*" made *colored men eligible to membership*, and in this *they were correct*.

This ordinance above referred to, was reported by the Judiciary Committee, and adopted by the Convention without division, on the 25th of February.

While arguing this question, we should consider only the law and the facts, leaving out of view our preferences and our personal judgment of the propriety or impropriety of colored men holding seats in the General Assembly.

For the reasons heretofore presented to the House of Representatives, and those herewith presented, I most respectfully object to the action heretofore taken and that about to be taken by the Senate on this subject, as being at variance with, and violative of the Constitution which we have sworn to support, and of the rights of Senators who have been duly elected. I herewith transmit the names of W. R. Gignilliat, of the Second Senatorial District, and of Thomas J. Adams, of the Twentieth Senatorial District, as the persons who received the number of votes in their respective districts next highest to the number which elected T. G. Campbell, in the Second, and George Wallace, in the Twentieth Senatorial District, as follows:

T. G. Campbell, Sr., received.....1256 votes.

W. R. Gignilliat, received..... 539 "

in the Second District; and

George Wallace received.....2654 votes.

Thomas J. Adams received.....1263 "

Z. H. Roughton received.....1072 "

in the Twentieth District.

RUFUS B. BULLOCK,

Governor.

On motion of Mr. Lester, Robert W Gignilliat appeared before the bar of the Senate, and was duly qualified as Senator from the Second Senatorial District.

Mr. Candler offered the following resolution, to-wit:

Whereas, The Senate in the discharge of a duty imposed by the Constitution, did determine that T. G. Campbell,

and George Wallace, who held seats as Senators, were not under that constitution and the laws, entitled to the same ; and *whereas*, the constitution makes each branch of the General Assembly the judge of the qualifications of its members, and confers no power upon, or allows any other person of any other department of the government to unite in such judgment, or question the correctness of the same ; and *whereas*, His Excellency, the Governor, has seen proper in response to a respectful communication from the Senate, asking for a statement of the election returns in said cases, of which he was, under the statutes of the State, the sole custodian, to inform the Senate that such action did not meet his approval, and that the same was violative of the Constitution of the State , and, *whereas*, it is the sense of the Senate, that such opinion of His Excellency, being uninvited by the Senate, and surreptitiously thrust upon its attention, is a violation of the privileges of the Senate, and insulting to it as a distinct part of the legislative department of the government. Therefore,

Resolved, That only that portion of the message of His Excellency, giving the information asked by the Senate, be entered upon the Journal.

After debate, Mr. Adkins called for the previous question, which being sustained, the main question was ordered upon the adoption of the preamble and resolution, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Anderson,	Hinton,	Moore,
Burns,	Holcombe,	Nesbitt,
Candler,	Lester,	Wellborn,
Collier,	McArthur,	Winn,
Fain,	McCutchen,	Wooten,
Griffin, 21st Dist.		

Those who voted in the negative are, Messrs :

Adkins,	Griffin, 6th Dist.,	Richardson,
Bowers,	Harris,	Sherman,
Brock,	Higbee,	Smith, 36th Dist.,
Colman,	Jones,	Speer,
Corbitt,	Merrill,	Stringer,
Dickey,	McWhorter,	Welch.

Yeas, 16 ; nays, 18. So the preamble and resolution of Mr. Candler was not agreed to.

The following message from His Excellency, the Governor, was taken up and read.

EXECUTIVE DEPARTMENT.

ATLANTA, GA., September 16th 1868.

To the Senate :

A bill entitled "an act to establish and organize a City Court for Atlanta, Georgia. to prescribe its jurisdiction, the practice therein, and for other purposes connected with said court," is herewith respectfully returned without my approval.

The Judiciary system provided for in the Constitution, clearly points to the withdrawal of the selection of Judges by election—making the Executive responsible for their selection, and the Senate for their confirmation.

This bill provides for the election of a court by the City Council of Atlanta, and is therefore repugnant to the spirit of the Constitution.

It is further objectionable in that it provides that cases shall stand for a trial at the first term, while in other courts the defendant is allowed until the second term to prepare his defense. It would, therefore, be not only onerous, but ruinous, to the debtor class in the city.

It certainly cannot be considered just, that a law should deal more harshly with the debtors who reside within the corporate limits, than with those just outside of them in the same county. This would also seem to be in violation of the 26th section of the Bill of Rights, which requires that "Laws shall have a general operation, and no general law, affecting private rights, shall be varied in any particular case, by special legislation, except with the free consent, in writing, of all persons to be affected thereby," etc. I presume it will not be stated, that this consent has been obtained.

Under paragraph 2, section 3, of article 5, of the Constitution, it is provided that the Superior Courts "shall have power to correct errors in inferior judicatories, by writ of *certiorari*." This bill states, in express terms, that there shall be no *certiorari* to the Superior Courts, and unless it is held that this city court is not "inferior" to the Superior Courts established by the Constitution, the bill is, in this particular, also objectionable.

It is further objectionable by reason of the fact that it incorporates, by reference to number of section, merely, many sections comprising a large portion of the Revised Code—sections, too, which were adopted previous to the ratification of the present Constitution, for a special purpose, in other cities not similarly situated to this. The judiciary system established by the Constitution will, when fully in

operation, provide all necessary opportunities for legal proceedings at the cost and expense of the State, and of the parties in interest ; and no good reason presents itself why the tax payers of Atlanta should be burdened with the heavy expense of supporting a special court in their midst, while one is already open to them, in common with other citizens of the State.

RUFUS B. BULLOCK,
Governor.

Upon the question, "shall this bill now pass the veto of His Excellency, the Governor, to the contrary notwithstanding," the yeas and nays were required to be recorded.

Those voting in the negative, are Messrs :

Adkins,	Gignilliat,	McWhorter,
Anderson,	Harris,	Richardson,
Bowers,	Higbee,	Sherman,
Brock,	Hinton,	Smith, 7th Dist.,
Candler,	Holcombe,	Smith, 36th Dist.
Colman,	Jones,	Speer,
Corbitt,	Jordan,	Stringer,
Dickey,	Lester,	Wellborn,
Fain,	Merrill,	Welch,
Graham,	McArthur,	Winn,
Griffin, 6th District,	McCutchen,	Wooten.
Griffin, 21st Dist.,		

Yeas, 0 ; nays, 34. So the veto of His Excellency was unanimously sustained.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem* :

Mr. President : The House of Representatives have adopted the following resolution to-wit :

A resolution for the further protection of the State in lending its aid to certain railroads, and for other purposes.

The House has passed a bill to be entitled an act to incorporate the Ocean Bank of Brunswick, by a Constitutional majority of ayes, 114 ; nays 11.

Also, a bill to be entitled an act prohibiting persons from selling or bartering from boats, or water-craft on the Chattahoochee river.

On motion of Mr. Wooten, the rules were suspended, and the Senate took up as the report of the Committee of the Whole, the House bill to consolidate and amend the several acts incorporating the town of Lumpkin, county of Stewart, and to grant certain privileges to the same.

The report of the committee was agreed to, the bill was read the third time, and passed.

On motion of Mr. Wooten, the Secretary was directed to transmit the same forthwith, to the House of Representatives.

On motion of Mr. Smith, of the 36th District, the rules were suspended, and the Senate took up the following bills of the House, which were read the first time, to-wit :

A bill to incorporate the town of West End, in the county of Fulton.

Also, a bill to appropriate money for the institution for the deaf and dumb, and for other purposes.

On motion of Mr. Lester, the rules were suspended, and the Senate took up, as the report of the Committee of the Whole, the House bill to empower R. T. Massey to sell the real estate of E. M. Edwards on the premises.

The report of the Committee was agreed to, the bill was read the third time, and passed.

On motion of Mr. Harris, the regular order was suspended, and the Senate took up the bill of the House to levy and collect a tax for the support of the Government for the year 1868, and for other purposes.

This bill was read the second time, and referred to the Committee on Finance.

The Senate took up the House bill to amend the charter of the Savannah, Skidaway and Seaboard Railroad.

This bill was read the second time, and referred to the Committee of the Whole.

The Senate took up the bill to provide for the election of one Justice of the Peace and two Constables in each militia district in this State, and to fix the time therefor.

The bill was read the second time, and, on motion of Mr. Wellborn, was indefinitely postponed.

The following bills were taken up and read the second time, and referred to the Committee on Petitions, to-wit :

A bill to relieve Henry L. Carroll and Rebecca Mathis, of the county of Union, from the payment of a forfeited recognizance therein specified.

Also, a bill to relieve Lambert C. Cook, of the county of Union, from the payment of, and liability upon, a certain forfeited recognizance therein specified.

The following bills were taken up and severally read the second time, and referred to the Committee on the Judiciary, to-wit :

A bill to regulate the bonds of sheriffs in the different counties in this State.

A bill to provide for the drawing of juries in certain cases therein mentioned.

A bill to compel the tax payers of this State to pay their taxes at their respective county sites, whenever the tax collectors shall require it.

A bill to provide for the drawing of juries for the Superior Court in the county of Chatham.

Mr. Gignilliat was added to the Committees on Petitions and General Education.

The following bills were taken up and severally read the second time, and referred to the Committee of the Whole, to-wit :

A bill to constitute the county of Fulton a judicial circuit, to be called the Atlanta Circuit, to fix the time of holding the courts of the same, and for other purposes.

A bill to relieve James N. Moss, a minor, of Thomas county.

A bill to relieve Amos Hicks, a minor, of Thomas county

A bill to alter and amend section five of the act incorporating the town of Weston.

The following bill was taken up and read the second time, and referred to the Committee on Education, to-wit :

A bill to provide for the payment of officers and other persons having claims against the late County Courts of said State.

The following bills were taken up and severally read the second time, and referred to the Committee on New Counties and County Lines, to-wit :

A bill to change the residence of Thomas T. Newborn of the county of Coffee, to the county of Clinch.

A bill to create and organize a new county from the counties of Heard, Troup, Meriwether and Coweta.

The following bill was taken up and read the second time, and referred to the Committee on Banks, to-wit :

A bill to incorporate the Merchants' Savings Bank of Augusta.

On motion, the rules were suspended, and the Senate took up the bill for the payment of the indebtedness of the people of Georgia.

After debate, Mr. Winn moved to lay the bill upon the table, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adkins,
Brock,
Corbitt,
Harris,

Jordan,
McArthur,
Smith, 7th Dist.,

Stringer,
Welch,
Winn.

Those voting in the negative, are Messrs :

Anderson,	Griffin, 21st Dist.	Richardson,
Bowers,	Gignilliat,	Smith, 36th Dist.,
Burns,	Hinton,	Sherman,
Candler,	Jones,	Speer.
Colman,	Lester,	Wellborn,
Fain,	Merrill,	Wooten.
Griffin, 6th Dist.	McCutchen,	

Yeas 10 ; nays 20. So the motion to lay on the table did not prevail.

After debate, the previous question was called, and being sustained, the main question was ordered upon the passage of the bill, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Anderson,	Jones,	Sherman,
Candler,	Lester,	Smith, 36th Dist.,
Fain,	McCutchen,	Speer,
Gignilliat,	Richardson,	Wellborn.
Hinton,		

Those voting in the negative, are Messrs :

Adkins,	Dickey,	McArthur,
Bowers,	Griffin, 6th Dist.,	Smith, 7th Dist.
Brock,	Griffin, 21st Dist.,	Stringer,
Burns,	Hicks,	Welch.
Colman,	Jordan,	Winn,
Corbitt,	Merrill,	Wooten.

Yeas 13 ; nays 18. So the bill was lost.

Leave of absence was granted to Senators Graham and Hungerford, for a few days.

On motion of Mr. Burns, the Senate adjourned until half-past three o'clock, P. M.

HALF-PAST THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment, and was called to order by the President.

Mr. Holcombe, Chairman of the Committee on Agriculture and Manufactures, made the following report.

Mr. President:—The Committee on Agriculture and Manufactures have had under consideration a bill to be entitled an act to incorporate the White Manufacturing

Company, of Elbert county, and recommend that it do pass with the following amendments:

At the end of the 2d section insert: "*provided*, this section shall not be so construed as to give said company the right to interfere with any vested rights."

In the 4th section, 9th line, after the word "such," insert 'unpaid;' and in the last line, after the word "their," strike out the word "unpaid."

Also, a bill to incorporate the Chattahoochee Manufacturing Company, and for other purposes. The Committee recommend this bill do pass.

A. W. HOLCOMBE,
Chairman.

The following message was received from the House of Representatives, through Mr. Carrington, the Clerk *pro tem*. thereof:

Mr. President: The House of Representatives have passed the following bill, which I am instructed to transmit forthwith to the Senate:

A bill to carry into effect the 13th section of the 5th article of the Constitution of the State of Georgia.

The following bills of the House of Representatives were taken up and severally read the first time, to-wit:

A bill to change the line between the county of Quitman and the county of Stewart.

A bill to authorize the municipal authorities of the various towns and cities in the State of Georgia to license pawnbrokers, to define their powers and privileges and for other purposes therein mentioned.

A bill to remove the county site of Bullock county and for other purposes.

A bill to incorporate the Georgia Fire and Marine Insurance Company.

A bill for the relief of the Atlanta and West Point and the Macon and Western Railroads.

A bill to prohibit hunting on the lands of another without the consent of the owner of said lands.

A bill to amend an act passed November 12th, 1866, amending the charter of the town of Sandersville, in the county of Washington, and to vest certain powers in the Commissioners thereof.

A bill to amend the several acts incorporating the town of Cartersville, in the county of Bartow, and to repeal all acts and parts of acts in conflict with this act.

A bill to prevent the illegal return of lands in this State.

A bill to extend the corporate limits of the town of Perry, county of Houston.

A bill to incorporate the Ocean Bank of Brunswick.

A bill to alter and amend the charter of the city of Americus.

A bill to carry into effect the 13th section of the 5th article of the Constitution of Georgia.

A bill to amend the charter of the city of Cuthbert and to define the powers and rights of the corporation and of the officers thereof and for other purposes.

A bill prohibiting persons from selling or bartering from boats or water-craft on the Chattahoochee river.

The following bills were introduced and severally read the first time, to-wit:

By Mr. Wooten, a bill to legalize the action of E. D. Watson, Ordinary of Lee county.

Also, a bill in relation to noting and protesting promissory notes or bills of exchange.

By Mr. Dickey, a bill to authorize F. W. Daws, of Fannin county, to practice medicine in this State, and for other purposes.

By Mr. Smith, of the 36th District, a bill to incorporate the town of Grantville, in the county of Coweta, and for other purposes.

By Mr. Brock, a bill to change the line between the counties of Polk and Haralson so as to add to the county of Haralson lots of land Nos. 401, 402, 472 and 473.

By Mr. Smith, of the 7th District, a bill to relieve Thomas Adams from pains and penalties as security on the bond of William Willy.

Also, a bill to give physicians in this State a lien on Homesteads and exemptions, and to provide for the payment of the same.

By Mr. Dickey, a bill to change the line between the counties of Gilmer and Fannin in this State.

On motion, the Senate adjourned until to-morrow morning at nine o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

FRIDAY, September 18th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Goldwire.

The roll was called and the Journal of the previous day read and approved.

Mr. Hinton, in conformity with a previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to provide for the payment of the indebtedness of the people of Georgia.

After debate, Mr. Nunnally called for the previous question, which being sustained, the main question was ordered upon the motion to reconsider, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs.

Anderson,	Hinton,	Nunnally,
Candler,	Holcombe,	Sherman,
Collier,	Jones,	Smith, 36th Dist.,
Fain,	Lester,	Speer,
Gignilliat,	McCuthen,	Stringer,
Hicks,	McWhorter,	Wellborn,
Higbee,	Nesbitt,	Wooten.

Those voting in the negative, are Messrs :

Adkins,	Dickey,	McArthur,
Bowers,	Griffin, 21st Dist.,	Smith, 7th District,
Brock,	Harris,	Welch,
Colman,	Jordan,	Winn.
Corbitt,	Merrill,	

Yeas 21 ; nays 14. So the motion to reconsider prevailed.

The following message was received from his Excellency the Governor, by Mr. Davis, his Secretary, to-wit :

Mr. President : I am directed by the Governor to deliver to the Senate a communication, in writing, with an accompanying document.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President : The Committee on Enrollment report as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following act, to-wit :

An act to consolidate and amend the several acts incorporating the town of Lumpkin, in the county of Stewart, and to grant certain privileges to the same.

E. I. HIGBEE,
Chairman.

The following message was received from his Excellency the Governor, by Mr. Davis, his Secretary, to-wit :

Mr. President : The Governor has signed the following acts, to-wit :

“An act to protect the planters of this State from imposition in the sale of fertilizers.”

Also, “an act to repeal an act assented to December 16th, 1857, entitled an act to repeal the second section of an act to amend an act, entitled an act to give all persons employed on steamboats and other water-craft, on the Chattahoochee, Altamaha, and Ocmulgee rivers, a lien on said steamboats or other water-craft, for his, her, or their wages, and for wood and provisions furnished ; and to point out and facilitate the mode of collection of the same, assented to December 11th, 1841, so as to include the Savannah river within the provisions of the same, and for other purposes, assented to December 27th, 1842.”

Mr. Harris, from the Committee on Finance, made the following report :

Mr. President : The Finance Committee, to whom was referred a bill to levy and collect a tax for the support of the government for the year 1868, and for other purposes, have had the same under consideration, and propose to amend the fourth paragraph of the second section, by striking out the word “forty,” in the third line, and insert the words “twenty-five.” Also, to strike out the ninth paragraph, and insert the following in lieu thereof, to-wit : “There shall be levied a specific tax of twenty cents per gallon on every gallon of brandy, gin, whisky, or rum, whether foreign or domestic, which is sold by any person, less than thirty gallons, in this State, and the amount sold shall be given in under oath. Quarterly returns, on oath, shall be made on the first days of April, July, October, and January, in each year, by all persons within the county, who sell liquors in quantities less than thirty gallons, of the amount sold during the preceding quarter. Said returns shall be made to the tax collector of the county, who shall demand and collect the tax due when the return is made. It shall be the duty of the tax collector to require all persons selling said liquors to make their returns and pay the tax thereon, and if any per-

n shall fail or refuse to make his returns, and to pay said x, he shall be assessed by the collector a specific tax of one ousand dollars, and the collector shall proceed to collect the me by execution, as in other cases of taxes due unpaid."

Also, to amend the fourth section, by striking out the ords "National Banks," and add the following, to come in an additional section, to-wit:

"All shares in any National Bank in this State shall be ven in by the individual owning said shares, which shall be xed as other property of the State of like character."

Also, to amend the eighth section, by adding, after the ord "plantation," the words "and mechanical tools."

Also, to amend the ninth section, by adding after the word county," the words, "or city corporations," and, with these endments, the committee recommend that the bill do pass.

JOHN HARRIS,

Chairman.

The Senate then took up the House bill, to levy and col- ct a tax for the year 1868, and for other purposes.

On motion, the same was taken up by sections.

On motion, section first was adopted.

Section second was taken up, and the amendment, as pro- osed by the committee, was agreed to.

Mr. Nunnally moved to amend further by adding the fol- wing, which was agreed to, to-wit:

"That all sleight of hand performers or magicians, shall ay the sum of fifty dollars for each and every performance each and every county where they exhibit, to the county easurer.

"That all circuses shall pay the sum of one hundred dol- rs for each day that he or they may perform, to the county easurer of each and every county where they may hhibit.

"That all other shows or exhibitions, except in literary stitutions of this State, shall pay the sum of twenty-five ollars in each and every county where they may exhibit.

"Any person, or company, failing or refusing to pay the x as required by this act, the treasurer of the county shall o before some officer of the county, authorized by law to sue executions, and make oath that he has applied to such erson or company, and they have failed or refused to com- ly with said demand, it shall be the duty of said officer to sue an execution, which shall be levied by the Sheriff of he county, upon any and all the property that may be found elonging to such person or company.

"The money so recovered shall be applied to county purposes in the county."

Section third was next taken up and adopted.

Section fourth was then taken up and the report of the Committee agreed to.

Mr. Winn proposed the following as an additional amendment, which was agreed to, to-wit: To strike out all on the subject of insurance companies and insert: "all home and foreign insurance companies shall pay one per cent. on all premiums in money or otherwise received by them; *Provided*, that when a home company pays a tax on its capital stock, it shall pay no tax on its premiums."

Sections five and six were taken up and adopted.

Section seven was then taken up and adopted.

Section eight was taken up and adopted as amended.

Section nine was taken up and adopted as amended.

Sections ten, eleven and twelve were then taken up and adopted.

Mr. Merrill offered the following as an additional amendment to section second, to-wit:

"Upon every dog owned in each family more than one, a tax of one dollar, to be given in by the head of the family and paid as other taxes."

"Upon every pistol, dirk and bowie knife, a tax of one dollar, to be given in and paid by the person having the same in possession on the day when the value is fixed upon taxable property."

Mr. McArthur proposed the following as an additional paragraph to section second, to-wit:

"*Provided*, That the fifteenth Senatorial district be exempt from the operation of this section.

The question was then put upon the adoption of the amendment of Mr. Merrill; which was not agreed to.

The question was then put upon the adoption of section second as amended, and the same, as amended, was adopted.

Mr. Holcombe moved that the bill, as amended, be laid upon the table for the present, and that fifty copies be printed for the use of the Senate; which was agreed to.

Mr. Holcombe then moved that the bill be made the special order for Monday morning.

Mr. Burns moved to amend by substituting: "to-morrow morning immediately after the reading of the journal."

After debate, Mr. Burns called for the previous question; which being sustained, the main question was ordered upon the motion of Mr. Holcombe; which was agreed to.

The Senate then took up the special order for the day, the same being the bill to organize the district courts.

On motion, the substitute as offered by the Judiciary Committee was laid upon the table for the present, and the Senate took up the substitute as offered by Mr. Hinton.

On motion, the same was taken up by sections.

Section first was taken up.

Mr. Holcombe proposed to amend as follows : in the second line, after the words justice of the peace, insert, "or notaries public or *ex-officio* justices ;" which was accepted.

Mr. Anderson moved to amend by inserting in the third line, after the words "in the," the word "incorporated."

Mr. Smith, of the 36th District, moved to amend by striking out in the third line the words "living in the town districts."

On motion of Mr. Nunnally, the Senate adjourned until half-past three o'clock, P. M.

HALF-PAST THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment, and was called to order by the President.

On motion of Mr. Candler, the Senate took up and concurred in the following resolution of the House of Representatives, to-wit :

A resolution for the further protection of the State in lending its aid to certain railroads, and for other purposes.

On motion of Mr. Nunnally, the rules were suspended, and the Senate took up the following bills of the House of Representatives ; which were severally read the second time and referred to the Committee of the Whole, to-wit :

A bill for the relief of the Atlanta and West Point and the Macon and Western Railroads.

A bill to prohibit hunting on the lands of another without consent of the owner of said lands.

A bill to amend an act passed November 12th, 1866, amending the charter of the town of Sandersville, in the county of Washington, and to vest certain powers in the Commissioners thereof.

A bill to incorporate the town of West End, in the county of Fulton.

A bill to remove the county site of Bullock county, and for other purposes.

A bill to amend the several acts incorporating the town of Cartersville, in the county of Bartow, and to repeal all acts and parts of acts in conflict with this act.

A bill to extend the corporate limits of the town of Perry, county of Houston.

A bill to alter and amend the charter of the city of Americus.

A bill to prohibit persons from selling or bartering from boats or water-craft on the Chattahoochee river.

A bill to carry into effect the 13th section of the 5th article of the Constitution of Georgia.

A bill to amend the charter of the city of Cuthbert and to define the powers and rights of the corporation and of the officers thereof, and for other purposes.

The following House bill was read the second time and referred to the Committee on General Education, to-wit:

A bill to appropriate money for the Institution for the Deaf and Dumb, and for other purposes.

The following House bills were taken up and severally read the second time and referred to the Committee on the Judiciary, to-wit:

A bill to authorize the municipal authorities of the various towns and cities in the State of Georgia to license pawnbrokers, to define their powers and privileges, and for other purposes therein mentioned.

A bill to incorporate the Georgia Fire and Marine Insurance Company.

The following bill of the House was taken up and read the second time and referred to the Committee on New Counties and County Lines, to-wit:

A bill to change the lines between the county of Quitman and the county of Stewart.

The following bill of the House was taken up and read the second time, and referred to the Committee on Banks, to-wit:

A bill to incorporate the Ocean Bank of Brunswick.

The following bill of the House was taken up and read the second time and referred to the Committee on Agriculture and Manufactures, to-wit:

A bill to prevent the illegal return of lands in this State.

The following bills of the Senate were taken up and severally read the second time and referred to the Committee of the Whole, to-wit:

A bill to change the line between the counties of Gilmer and Fannin in this State.

A bill to give physicians in this State a lien on homesteads and exemption and to provide for the payment of the same.

A bill to relieve Thomas Adams from pains and penalties as security on the bond of Wm. Willy.

A bill to incorporate the town of Grantville, in the county of Coweta, and for other purposes.

The following bills were taken up and severally read the second time and referred to the Committee on the Judiciary, to-wit:

A bill to authorize F. W. Daws, of Fannin county, to practice medicine in this State, and for other purposes.

A bill in relation to noting and protesting promissory notes on bills of exchange.

A bill to legalize the action of E. D. Watson, Ordinary of Lee county.

The following bill was read the second time and referred to the Committee on New Counties and County Lines, to-wit:

A bill to change the line between the counties of Polk and Haralson so as to add to the county of Haralson lots of land numbers 401, 402, 472 and 473.

On motion, the rules were suspended, and Mr. Burns offered the following resolution, to-wit:

Resolved, That from and after Monday next the Senate meet and adjourn as follows: Meet at 9 o'clock, A. M., and adjourn at 1 o'clock, P. M. Meet at 8 o'clock, P. M., and adjourn at 10 o'clock, P. M.

Mr. Griffin, of the 21st District, moved to lay the resolution upon the table, whereupon the yeas and nays were ordered to be recorded.

Those voting in the affirmative, are Messrs:

Bowers,	Griffin, 21st Dist.,	Sherman,
Brock,	Harris,	Smith, 36th Dist.,
Candler,	Higbee,	Welch,
Colman,	Holcombe,	Winn,
Corbitt,	Jones,	Wooten.
Dickey,	Merrill,	

Those voting in the negative, are Messrs:

Anderson,	Jordan,	Richardson,
Burns,	Lester,	Smith, 7th Dist.,
Fain,	McArthur,	Speer,
Gignilliat,	McCutchen,	Wellborn,
Hicks,	McWhorter,	
Hinton	Nunnally,	

Yeas 17; nays 16. So the resolution was laid on the table.

On motion of Mr. Griffin, of the 21st District, the Senate adjourned until to-morrow morning at nine o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

SATURDAY, September 19th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President. Prayer by the Rev. Mr. Smith, Honorable Senator from the 7th District.

The roll was called, and the Journal of the previous day read and approved.

Mr. McWhorter, from the Committee on the Military, made the following report :

Mr. President : The Committee on the Military, have had under consideration the following bill, to-wit :

A bill to be entitled an act to establish a State Police, which they recommend do not pass.

JAMES H. MCWHORTER,

Chairman.

The following message of His Excellency, the Governor, was taken up and read :

EXECUTIVE DEPARTMENT,

ATLANTA, GA, September 18th, 1868.

To the Senate :

A bill entitled "an act to incorporate the Nutting Banking Company in the city of Macon," is herewith respectfully returned, without the approval of the Executive.

This bill is not approved, for the reason that there is no advantage to be derived from it by the citizens of the State, other than those who are named therein.

The bill recites that the persons named, and their associates and successors, "shall have power to sue and to be sued, to hold and possess any species of property, real, personal or mixed, and to sell and dispose of the same at pleasure, to discount notes and drafts, to buy and sell bills of exchange, to receive deposits on terms agreed upon by the parties, to make advances and loans on property, and to do a general business as a Bank of Discount and Deposit." All these things can be performed by the gentlemen, or their associates, either as co-partners or individuals, under the laws already existing. But by these laws, they are very properly made responsible to the full extent of their respective fortunes, for any obligations which they may incur in performing the acts above recited ; and it is now sought to limit, by permission of the Legislature, their liability in the performance of these acts.

If the business of receiving deposits of monies from the public, and of loaning money, is one from which safe profit can be realized, it will be, as it already has been, engaged in by a sufficient number of persons to satisfy the wants of the public in this direction, who ought not, and will not, ask that their liabilities be limited.

Our citizens, generally, will not be benefited by the provisions of this bill, as the amount of money or circulating medium in our midst will not be increased, and yet we are asked to confer the valuable privilege of organizing a co-partnership in which the co-partners shall only be responsible to depositors or creditors, for twice the amount of shares which they may see proper to subscribe for, or hold in the organization.

In brief, all the privileges which this bill seeks to convey to certain individuals, are already enjoyed by them, under the general law, except a limitation of their responsibilities, and this limitation it is unwise and impolitic to grant, as it deprives the depositors and creditors of the security to which they are legally entitled.

I am aware that it is argued that the granting of this great privilege will tend to induce capital to come here, but I am unable to see the force of the plea, or that this desirable object will be thus obtained.

Why should capitalists who have money to loan, and who desire to loan it, ask to be relieved of *liability*?

If it is intended to receive deposits from one class of our citizens, to be loaned to another class, the depositor who thus becomes the creditor, should have all the protection for his deposits that the law now gives him in loaning his money to an individual.

RUFUS B. BULLOCK,
Governor.

Mr. Nunnally moved that the bill do now pass the veto of His Excellency, the Governor, to the contrary notwithstanding. A constitutional majority being required to pass the same, the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs.

Anderson,	Hinton,	Nunnally,
Candler,	Jones,	Richardson,
Collier,	Lester,	Smith, 7th District,
Fain,	McArthur,	Smith, 36th Dist.,
Griffin, 21st Dist.	McCutchen,	Speer,
Gignilliat,	McWhorter,	Wellborn.
Hicks,	Nesbitt,	Wooten.

Those voting in the negative, are Messrs :

Adkins,	Corbitt,	Holcombe,
Bowers,	Dickey,	Sherman,
Brock,	Griffin, 6th District,	Stringer,
Colman,	Higbee,	Winn.

Yeas, 21 ; nays, 12. So the veto of His Excellency was sustained.

The Senate resumed the unfinished business of yesterday, the same being the bill to organize the District Court.

After debate, the question was put upon the amendment of Mr. Smith, of the 36th District, to strike out the words, "living in the Town Districts," which was not agreed to.

Mr. Candler then moved to lay the bill on the table, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Bowers,	Griffin, 21st Dist.	Nesbitt,
Candler,	Hicks,	Richardson,
Colman,	Higbee,	Sherman,
Collier,	Jordan,	Smith, 36th Dist.
Corbitt,	McArthur,	Wellborn,
Dickey,	McWhorter,	Wooten.

Those voting in the negative are, Messrs.

Adkins,	Hinton,	Smith, 7th Dist.,
Anderson,	Jones,	Stringer,
Fain,	Lester,	Welch,
Griffin, 6th Dist.,	McCutchen,	Winn.
Gignilliat,	Nunnally,	

Yeas, 18 ; nays, 14. So the bill was laid on the table.

Mr. Fain, Chairman from the Committee on Petitions, made the following report :

Mr. President : The Committee on Petitions having had under consideration, by reference of the Senate, a bill to be entitled an act to relieve Henry L. Carroll and Rebecca Matthis, of the county of Union, from the payment of a recognizance therein specified, recommend that the bill do pass.

Also a bill to be entitled an act to relieve Lambert C. Cook, of the county of Union, from the payment of, and liability upon a certain fortified recognizance therein specified, and recommend that the bill do pass.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem* :

Mr. President : The House of Representatives have passed the following bill of the Senate, with an amendment in which they ask the concurrence of the Senate :

A bill to be entitled an act for the relief of debtors and to authorize the adjustment of debts upon principles of equity.

The Senate took up the resolution to authorize the Special Committee on the revision of Irwin's Code to meet in vacation.

On motion of Mr. Holcombe, the resolution was laid on the table.

The Senate took up the following resolution, which was referred to the Judiciary Committee, to-wit :

A resolution to subscribe for two hundred copies of Miller's Digest of the Supreme Court of Georgia.

Mr. Wooten offered the following resolution, which was lost, to-wit :

Resolved, That no measure shall be transmitted from the Senate to the House, so as to defeat a reconsideration, except by the unanimous vote of all the Senators present.

Mr. Winn offered the following resolution, to-wit :

Resolved, That the Senate meet at half past nine, A. M., and adjourn at half after twelve; and meet at four P. M., and adjourn at seven.

Mr. Smith, of the 36th District, offered the following as a substitute, to-wit :

Resolved, That after this day, the Senate meet at nine, A. M., adjourn at one, P. M.; and meet at three, P. M., and adjourn at five, P. M.

Mr. Speer offered the following as an amendment, to-wit :

Resolved, That after this day, the daily hours of the meeting of the Senate shall be nine, A. M., and adjourn at one and a half, P. M.; and meet at seven and a half, P. M., and adjourn at eleven, P. M.

The question was put upon the amendment of Mr. Speer, which was not agreed to.

The question was then put upon the substitute of Mr. Smith, which was adopted.

On motion of Mr. Welch, the Senate took up the bill to amend the charter of the city of Albany.

The Judiciary Committee, to whom this bill was referred, reported the same back, with the recommendation that it do pass.

The report of the committee was agreed to; the bill was read the third time, and passed.

The Senate took up the bill to incorporate the Dawson Manufacturing Company.

The report of the committee was agreed to; the bill was read the third time, and passed.

On motion, the Secretary was directed to transmit the same forthwith to the House of Representatives.

On motion, the rules were suspended, and the following bills were introduced, and severally read the first time, to-wit:

By Mr. McArthur, a bill to regulate the issue and payment of all orders upon the county treasury of the different counties of this State.

By Mr. Brock, a bill for the relief of John N. Sligh, and James Sligh, of the county of Paulding.

By Mr. Nunnally, a bill to change section 1967 of Irwin's Revised Code.

Also, a bill to relieve Julius W Driver, from pains and penalties of the second marriage.

By Mr. Lester, a bill to alter and amend the 4333rd section of Irwin's Code, relating to the punishment for cattle stealing.

By Mr. Winn, a bill to authorize the sale of the lands of the Georgia Military Institute, etc.

By Mr. Jordan, a bill to add a proviso to section 4492 of Irwin's Code.

By Mr. Richardson, a bill to incorporate the Gainesville, Dahlonga and Ducktown Railroad Company.

The Senate took up and concurred in the House amendment to the Senate bill for the relief of debtors, and to authorize the adjustment of debts upon principles of equity.

The Senate took up the bill to reduce the bonds of civil officers, and for other purposes.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the Committee was agreed to, and the bill was lost.

On motion, the rules were suspended, and Mr. Wooten introduced the following bill, which was read the first time, to-wit:

A bill to create a court for the trial of criminal cases in this State, and for other purposes.

The rules were further suspended, and the following bill was introduced, and read the first time, to-wit:

By Mr. Anderson, a bill authorizing the Governor to appoint a Geologist for the State.

On motion, the rules were further suspended, and Mr.

Jordan offered the following resolution, which was laid on the table, to-wit:

Resolved, That the superintendent of the Western and Atlantic Railroad be authorized to sell all freight which may remain in possession of the road unclaimed by consignees for three months, upon giving public notice of said intended sale for ten days.

The Senate then took up the bill to incorporate the Griffin Loan, Trust and Savings Institution, pending the consideration of which, on motion of Mr. Speer, the Senate adjourned until Monday morning, at 9 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

MONDAY, September 21st, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Bowers, Honorable Senator from the 31st District.

The roll was called and the Journal of Saturday read and approved.

Mr. Speer, in conformity with previous notice, moved to reconsider so much of the Journal of Saturday, as relates to the action of the Senate on the veto message of his Excellency, the Governor, on the bill to incorporate the Nutting Banking Company, in the city of Macon.

The Chair decided that inasmuch as the Senate had once reconsidered the bill, and acted on it, the motion could not be entertained.

Mr. Candler appealed from the decision of the Chair.

After debate, on motion, further consideration of the motion to reconsider was postponed until to-morrow morning at ten o'clock.

The Senate took up the special order for the day, the same being the House bill to levy and collect a tax for the support of the government, for the year 1868, and for other purposes.

Mr. Holcombe moved to reconsider so much of the former action on the bill, as relates to the taking up of the same by sections, which was agreed to.

Mr. Burns then moved to take up the bill by sections, which was agreed to.

Section first was taken up and adopted.

Section second was then taken up.

Mr. Griffin, of the 21st District, moved to strike out the word *physic*, in paragraph first, which was not agreed to.

Mr. Winn moved to strike out all of paragraph first, which was lost.

Mr. Wellborn moved to amend paragraph first, as follows :

“ Provided, The annual professional income of such practitioner of law, physic, or dentistry, amount to one thousand dollars or upwards.”

Mr. Hinton moved to amend, by striking out paragraphs from one to nine.

After debate, Mr. Winn called for the previous question, which being sustained, the main question was ordered upon the motion of Mr. Hinton, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs :

Hicks,	Jordan,	Wellborn,
Hinton,	Nunnally,	Winn.

Those voting in the negative, are Messrs :

Adkins,	Fain,	Merrill,
Anderson,	Graham,	McArthur,
Bowers,	Griffin, 6th Dist.,	McCutchen,
Brock,	Griffin, 21st District,	McWhorter,
Burns,	Gignilliat,	Nesbitt,
Candler,	Harris,	Sherman,
Colman	Higbee,	Smith, 7th Dist.,
Collier,	Holcombe,	Smith, 36th Dist.,
Corbitt,	Jones,	Stringer,
Dickey,	Lester,	Welch.

Yeas 6 ; nays 30. So the motion of Mr. Hinton did not prevail.

The question was then put upon the amendment of Mr. Wellborn, which was lost.

The question then recurred upon the adoption of paragraphs one to nine, of section second, and the same was agreed to.

Paragraph nine was taken up.

Mr. Candler moved to strike out paragraph nine, which was not agreed to.

Mr. Winn moved to amend, by inserting, after the words “specific tax,” the words, “for educational purposes,” which was agreed to.

Mr. Burns moved to amend further, by inserting the following, to come in at the close of the paragraph, to-wit: 'To take effect from the first day of October,' which was agreed to.

Mr. Holcombe offered the following as a substitute for paragraph nine, which was not agreed to, to-wit:

"There shall be levied a specific tax of twenty cents per gallon upon every gallon of spirituous or malt liquors, which may be sold by any bar-keeper or other person engaged in the business of whisky dealing, or other manufactures."

Mr. Merrill offered the following, which was lost, to-wit: to strike out lines thirteen and fourteen and insert the following: "Upon each vendor of spirituous or malt liquors of any kind, in quantities less than thirty gallons, a tax of twenty cents on each gallon so sold."

Mr. Higbee offered the following, which was not agreed to, to-wit: On the thirteenth line, after the word "every," strike out "gallon," and insert "vendor." On the fourteenth line, strike out the words, "any person," and insert the words "said vendor."

On motion, paragraph nine, as amended, was adopted.

Paragraph ten was taken up.

Mr. Wellborn offered the following amendment, which was not agreed to, to-wit:

"*Provided*, That in each and every county which has no county Academy, or other public building dedicated to school purposes, the one-half of the poll tax so collected in each of said counties, shall be set aside and appropriated to the building of an Academy at each county site now destitute as aforesaid, and it shall be lawful for the ordinaries in each said counties, so destitute as aforesaid, to receive and receipt to the tax collector for the one-half of such poll tax, which receipt shall be a voucher in the hands of such tax collector to be used in settlement with the Comptroller General."

The question was then put upon the adoption of paragraph ten, which was agreed to.

Paragraph eleven was then taken up.

Mr. Winn moved to strike out the words "county treasurer," and insert the words "tax collector," which was agreed to.

Mr. Smith, of the 36th District, proposed the following amendment, which was lost, to-wit: "On the twenty-sixth line, strike out the words, "performance in each and every "

On motion, paragraph eleven, as amended, was adopted.

Paragraph twelve was taken up.

Mr. Nunnally moved to strike out the words "county treasurer," and insert "tax collector," strike out the word

"circusses," and insert the words "circus company," which was agreed to.

The question was then put upon the adoption of paragraph twelve, as amended, and the same, as amended, was agreed to.

Paragraph thirteen was taken up.

Mr. Nunnally proposed to amend as follows: in the first line strike out the words "in," "institutions of" and insert the words "for" "or charitable purposes in," which was agreed to.

The question was put upon the adoption of paragraph thirteen, as amended, and the same, as amended, was adopted.

Paragraph fourteen was taken up.

Mr. Holcombe moved to strike out the same; which was agreed to.

Mr. Winn then offered the following as paragraph fourteen; which was agreed, to-wit:

"On any person or company failing or refusing to pay the tax on shows and exhibitions, required by this act it shall be the duty of the tax collector in each and every county, and he is hereby required, to issue an execution against said person or company so failing or refusing to pay said tax on shows and exhibitions, to be directed to and levied by any sheriff or constable of said county upon any and all of the property that may be found belonging to said person or company. And all money so collected shall be paid into the treasury of this State for educational purposes."

Mr. Fain offered the following as paragraph fifteen; which was not agreed to, to-wit:

"That every male citizen, twenty-one years old, shall pay ten dollars for the right to follow his avocation, whatever it may be."

The question was then put upon the adoption of section second, as amended, and the same, as amended, was adopted.

Section third was then taken up and adopted.

Section four was taken up.

Mr. Burns moved to amend as follows: in the first line, after the word "companies" insert the words "doing business in this State;" which was agreed to.

The question was then put upon the adoption of section four, as amended, and the same, as amended, was adopted.

Section five was taken up and adopted.

Sections six, seven and eight were taken up and adopted.

Section nine was taken up.

Mr. Holcombe moved to strike out the same.

Mr. McArthur moved to strike out in the first line the words "county or."

Mr. Burns offered the following as a substitute for section nine; which was agreed to, to-wit:

“No assessment shall be made for county, city or corporation purposes upon the specific taxes herein levied.”

On motion, the Senate adjourned until three o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment, and was called to order by the President.

The Senate resumed the consideration of the House bill to levy and collect a tax, etc., for the year 1868.

After debate, Mr. Hinton called for the previous question; which being sustained, the main question was ordered upon the motion of Mr. Holcombe to strike out section nine. Whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adkins,	Harris,	Holcombe.
Colman,		

Those voting in the negative are, Messrs.

Anderson,	Graham,	McWhorter,
Bowers,	Griffin, 6th Dist.,	Nunnally,
Brock,	Gignilliat,	Sherman,
Burns,	Hicks,	Smith, 7th Dist.,
Candler,	Higbee,	Smith, 36th Dist.,
Collier,	Hinton,	Stringer,
Corbitt,	Jordan,	Welch,
Dickey,	Lester,	Winn.
Fain,	McCutchen,	

Yeas 4; nays 26. So the motion to strike out section nine did not prevail.

The question was then put upon the amendment of Mr. McArthur to strike out the words “county or;” which was not agreed to.

The question recurring upon the adoption of section nine, as amended, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Anderson,	Higbee,	Smith, 7th Dist.,
Brock,	Hinton,	Smith, 36th Dist.,
Burns,	Jones,	Speer,
Collier,	Jordan,	Stringer,
Fain,	McCutchen,	Welch,
Griffin, 6th Dist.	McWhorter,	Winn.
Hicks,	Nunnally,	

Those voting in the negative, are Messrs :

Adkins,	Corbitt,	Harris,
Bowers,	Dickey,	Holcombe,
Candler,	Graham,	Lester,
Colman,	Gignilliat,	Sherman,

Yeas 20 ; nays 12. So section nine, as amended, was adopted.

Sections ten, eleven and twelve were then taken up and adopted.

The question then recurred upon the passage of the bill, as amended, and the bill, as amended, was passed.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem* :

Mr. President : The House of Representatives have passed the following bills :

A bill to be entitled an act to incorporate the Nacoochee Valley Mining Company and the Hannay Mining Company of White county.

A bill to be entitled an act to apply the provisions of an act to extend the aid of the State to the completion of the Macon and Brunswick Railroad to a branch of said road.

They have adopted the following resolution :

A resolution that the " act for the relief of debtors and to authorize the adjustment of debts upon principles of equity," when signed by the Governor, a finality upon the question of relief in this State.

They have also concurred in the following Senate resolution :

A resolution to authorize the acceptance of the charter of the Bank of Savannah.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President : The Committee on Enrollment report as duly enrolled and signed by the Speaker of the House of Representatives and ready for the signature of the President of the Senate, the following acts and resolutions, to-wit :

An act to empower R. T. Massey to sell the real estate of E. M. Edwards, deceased, on the premises.

Also, an act to loan the credit of the State to the Georgia Air Line Railroad Company, and for other purposes.

Also, a resolution authorizing the Governor to draw funds from the Treasury to pay the several committees' expenses for visiting the State institutions.

Also, a resolution for the further protection of the State in lending its aid to certain railroads, and for other purposes.

E. I. HIGBEE,
Chairman.

The following message was received from his Excellency the Governor, through Mr. Davis, his Secretary, to-wit:

Mr. President: I am directed by the Governor to deliver to the Senate a communication in writing, with accompanying documents, to which he respectfully invites the immediate attention of your body.

EXECUTIVE DEPARTMENT,
ATLANTA, GA., September 21st, 1868.

To the General Assembly :

From the communication transmitted herewith, it will be seen that in violation of, and with total disregard for the proclamation issued on the 14th inst., the right of the people to peacefully assemble, has been violently and barbarously impaired, and that the civil officers of the county of Mitchell, are wholly unable to protect the rights of citizens, or to maintain the peace.

By the 6th section of an act of Congress, passed March 2d., 1867, the organization, arming or calling into service of the militia of this State, is very properly prohibited, and it is therefore earnestly recommended that the Legislature make immediate application to the President of the United States, under section 4, article 4, of the Constitution of the United States, for sufficient military force to be stationed in said county, to the end that peace may be maintained, the rights, lives and property of the citizens protected and secured, and the guilty punished after due process of law. I do not deem it necessary to enter into an argument to support the above recommendation. The fact that this occurrence is the result of a determination frequently and publicly expressed by irresponsible persons of one political party, that the other political party ought not, and shall not, hold political meetings, is too well known. It is, however, gratifying to know and believe that this sentiment is confined to a class of lawless persons who are not countenanced or supported by the responsible citizens of their respective counties, but the misfortune is, that the outrages are not prevented, and unless physical force can be promptly added to the honest efforts of the officers of the law, we shall be thrown into a state of anarchy where neither life, property nor law will be regarded, and the innocent will suffer from the wrong doing of the guilty

I have this moment received a dispatch from Major Howard, stating that the number of killed and wounded will reach fifty.

RUFUS B. BULLOCK,
Governor.

ALBANY, Dougherty County, Ga.

TO GENERAL SIBLEY, *Commanding Officer, etc.*

At 6 P. M., Ishmael Lunnan, freedman, reported himself directly from Camilla, Mitchell county, stating that he had left there at 2 P. M. ; that in the forenoon of this day, he approached Camilla with John Murphy, Wm. R. Pearce (candidate for Congress) and F. F. Putney, (white) and about 75 colored persons, all en route to Camilla, where Messrs. Pearce and Murphy, were to deliver a political address. Upon approaching Camilla, the relator being in advance, was accosted by an armed and mounted white man, who at first stated that he was in search of a doctor to attend a freedman who had been hurt by the falling of a tree, but who subsequently stated that he was a courier and advised the relator and others of the party who had overtaken him, not to go to town, that the people there were determined that the radicals should not speak in Camilla ; that notwithstanding the warning, the party moved on towards Camilla, when they were met by the Sheriff and a posse, who accosted Captain Pearce, and who was assured by Captain Pearce that he desired and intended to speak in Camilla on political subjects. The Sheriff endeavored to dissuade him from doing so, telling him that the people would not permit it ; that the Sheriff then went back into Camilla, and again returned, saying that he had done all in his power to dissuade the people from violence but with no avail ; that the party moved on to town ; that Pearce and Putney entered the town, dismounted from their buggy, and hitched their horse to the court house ; that as the wagon containing the music of the party entered the town, it was fired upon by the mounted white man who had first accosted him, and by several other white men ; that the freedmen then started to escape to the woods ; that Pearce attempted to rally them, calling on them not to fly, that the colored men being unarmed would not stop. The relator being mounted, dashed out of the town, passed the freedmen on foot, and passed the musicians who had abandoned the wagon ; that Murphy and Phillip Joiner, in a buggy, also drove rapidly away towards Albany ; that

relator kept ahead of them, that when about seven miles from Camilla, the buggy containing Murphy and Joiner was overtaken by five or six white men, mounted and armed; that the buggy was stopped; that one horse dashed riderless up the road towards relator; that he saw the pursuers around the buggy—some of them dismounted; that he then came as rapidly as possible to Albany. At 6.30 P. M. a large body of freedmen, much excited, came to me for advice, expressing their desire to proceed at once on foot to Camilla to rescue the republicans there. I counsel perfect quiet and order, and direct them to tell all colored men, from me, that the affair at Camilla shall be thoroughly investigated, and if any great wrong has been done, the proper legal remedy shall be applied; they depart in peace, apparently satisfied; I have sent to the stable for a horse; I have secured the services of George Ponder, a reliable freedman, to proceed to Camilla, or in that direction, and bring me news from Pearce or Murphy, and a correct account of the difficulty. At 1 P. M., Chanks Rose, from Fish and Flagg's plantation, reached this office from the plantation. He reports Lewis Davis (freedman) shot in the head; J. W. Murphy, wounded in the head by the butt of a musket.

The man that plays base drum, Dessand, shot; Squire Acre, (freedman) shot off his horse, supposed to be killed. One woman (colored) with child, killed ten miles from Camilla; the mob still pursuing and shooting fugitives.

J. W. Armstrong, Jr., went from Albany to Camilla the previous night, and returned on the day of the difficulty. Wesley Chapman, (freedman) one of the drummers, was shot in the back; is now in Albany. W. R. Pearce, candidate for Congress, Second District, shot in the leg; is at Flagg and Fish's plantation. F. F. Putney, (white) serious gunshot wound in the arm and shoulder. John Murphy, (white) struck over the head with butt of gun; head badly cut. Howard Buice, (freedman) serious gunshot wound, five in arm, and side, and head. Wm. Dessand, (freedman) badly wounded, supposed to be killed; gunshot wound in back and shoulder. A. B. Collins, (freedman) supposed to be mortally wounded; several freedmen, names unknown, gunshot wounds. Six freedmen, reported to have been left dead at the roadside; one freedwoman with a child in her arms, shot; four white men of the attacking party seen to fall, shot.

James John (white) of Camilla, popularly known as Jimmy John, who fired the first shot into the band, was cheered by the mob of white men of the town who hurrahed

for John's. He was shot by the parties in the rear of the band wagon, and fell over his gun to the ground in a leap. The wounded whites were carried, or rather *dragged* into the houses of Camilla by their friends.

It is believed that the arms brought to Albany, recently consigned to Rust, Johnson & Co., were sent to Camilla. It is said that * * * * * of the Young Men's Democratic Club, went to Camilla for the purpose of instigating the people to prevent the speaking. He certainly went there.

I am confident that the preceding pages contain a correct account of the affair at Camilla, and subsequent events, so far as known.

(Signed)

O. H. HOWARD,
Brevet Major, U. S. A.,
Sub. Ass't. Com'r. B. R. F and A. L.

On motion of Mr. Harris, the message of His Excellency, the Governor was taken up.

Mr. Harris offered the following resolution, to-wit:

Whereas, the laws of the United States prevent the organization of a military force; and, *whereas*, the civil officers of this State are unable to execute the law and maintain the peace; therefore, be it

Resolved, By the Senate and House of Representatives, in General Assembly met, That his Excellency Andrew Johnson, the President of the United States, be, and he hereby is respectfully requested to place at the disposal of his Excellency, the Governor of this State, such military force from the armies of the United States as the said Governor may, from time to time, call for and deem necessary to the preservation of the peace, the protection of the rights, lives and property of citizens of this State, and for the execution of the legal orders and decrees of her civil officers.

Resolved, That his Excellency the Governor be, and he hereby is requested to transmit the above preamble and resolution to the President of the United States, by telegraph, without delay.

Mr. Nunnally offered the following, as a substitute, which was adopted, to-wit:

Resolved, By the Senate and House of Representatives, That a joint committee of three from the Senate, and five from the House of Representatives, be appointed to take into consideration the message of his Excellency the Governor, and accompanying documents, as to disturbances of the public peace in the county of Mitchell, with directions to inquire

into the facts, with power to send for persons and papers, and, if necessary, to get the facts, visit the county of Mitchell, and report at the earliest day practicable, what action (if any) is necessary to be taken by the General Assembly.

The Chair announced as the committee on the part of the Senate, under the above resolution, Messrs. Nunnally, Smith, of the 36th District, and Brock.

On motion, the resolution was ordered to be transmitted forthwith to the House of Representatives.

Mr. Higbee, from the Committee on Enrollment, made the following report:

Mr. President: The Committee on Enrollment report as duly enrolled and ready for the signatures of the President of the Senate and Speaker of the House of Representatives, the following act and resolution, to-wit:

An act for the relief of debtors, and to authorize the adjustment of debts upon principles of equity.

Also, a joint resolution to authorize the acceptance of the charter of the Bank of Savannah.

E. I. HIGBEE,

Chairman.

The following message was received from the House of Representatives through Mr. Carrington, their Clerk, *pro tem*.

Mr. President: The House of Representatives have concurred in the resolution of the Senate appointing a committee to take into consideration the message of his Excellency the Governor, and they have appointed as the committee on their part, Messrs. Duncan, of Houston, Bethune, Morgan, Hall, of Meriwether, and Hamilton, and I am directed to transmit the same forthwith to the Senate.

The following bills of the House of Representatives were taken up, and severally read the first time, to-wit:

A bill to apply the provisions of an act to extend the aid of the State to the completion of the Macon and Brunswick Railroad to a branch of said road.

A bill to incorporate the Nacoochee Valley Mining Company, and the Hannay Mining Company, of White county

The hour having arrived, the President announced the Senate adjourned until to-morrow morning, at 9 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

TUESDAY, September 22d, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev Mr. Smith, Honorable Senator from the 7th District.

The roll was called, and the Journal of the previous day read and approved.

On motion of Mr. Speer, Hon. Thomas J. Adams appeared before the bar of the Senate, and was duly sworn, and took his seat as Senator from the 20th Senatorial District.

Mr. Candler, in accordance with a previous notice, moved to reconsider so much of the journal of yesterday as relates to the action of the Senate on the bill of the House, to levy and collect a tax for the support of the Government for the year 1868, and for other purposes, which motion was agreed to.

On motion of Mr. Lester, section nine was stricken out.

Mr. Hinton moved to adopt the following, as passed by the House, as section nine, to-wit:

“That no assessment shall be made for county or city corporation purposes, on the specific tax herein imposed on practitioners of law, physic, or dentistry.”

After debate, Mr. Burns called for the previous question, which being sustained, the main question was ordered upon the motion of Mr. Hinton, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adams,	Griffin, 21st Dist.,	McWhorter,
Bowers,	Gignilliat,	Nesbitt,
Brock,	Hicks,	Nunnally,
Burns,	Hinton,	Smith, (36th Dist,)
Candler,	Jones,	Speer,
Collier,	Jordan,	Stringer,
Fain,	Lester,	Wellborn
Graham,	Merrill,	Welch.

Those voting in the negative, are Messrs :

Adkins,	Dickey,	Holcombe,
Anderson,	Griffin, 6th Dist.	McArthur,
Colman,	Harris,	McCutchen,
Corbitt,	Higbee,	Sherman.

Yeas 24 ; nays 12. So the motion of Mr. Hinton was agreed to.

The question then recurred upon the passage of the bill, as amended, and the bill, as amended, was passed.

On motion of Mr. Burns, the Secretary was directed to transmit the same forthwith to the House of Representatives.

The Senate took up, as the unfinished business of yesterday, the appeal, as made by Mr. Candler, from the decision of the Chair, in relation to the reconsideration of the bill to incorporate the Nutting Banking Company in the city of Macon.

Mr. Candler then withdrew the appeal from the decision of the Chair.

Mr. Speer, from the Committee on the Georgia Academy for the Blind, made the following report:

Mr. President: Your committee, upon whom devolved the duty of visiting and examining the present condition and requirements of the Georgia Academy for the Blind, have had the same under consideration and inspection, and beg leave to submit the following

REPORT.

That, entering upon the duties assigned them, your committee was stimulated with the pleasing and charitable reflection that the instruction of the poor unfortunates who are deprived of the sense of sight, was an object which has and ought to commend itself to the support of governments and individuals. We felt proud of Georgia and her charitable citizens, as we listened to the interesting musical and other entertainments of those long shut out from the light of day. In witnessing the fluency and accuracy with which they read books, and especially the Word of life. And it was equally gratifying to us to see what enjoyment and entertainment the exercises afforded these poor children, whose lives are almost cheerless and hopeless.

The school embraces three departments, all connected together, and conducted harmoniously and conjointly at the same time, and looking to the same result.

First: The department in which is taught all the elementary branches of English education known to our common schools.

Second: The musical department, in which the pupils are taught the science and art of music, both vocal and instrumental.

Third: The department of handicrafts, in which they are trained in the various branches of industrial work suited to the circumstances and conditions imposed by blindness.

The object aimed at in all these departments is the qualifying the blind youth, by mental, moral and physical culture, so that his existence shall be happier, as respects himself and those with whom he lives; and that he shall the better enter upon and discharge the duties of life, and become both a useful and self-sustaining member of society. The condition of the blind calls with peculiar force upon the active and intelligent sympathies of mankind, and it is believed that no form of human suffering commands a higher degree or receives a more universal exhibition of popular compassion. It is that of a rational and intelligent being of a keenly sensitive nature, cut off by the deprivation of a single sense, not only from the usual avenues of instruction, but by reason of the same, doomed to a life of isolation and inactivity. He is made solitary and without the means in himself of any considerable measure of self-entertainment. Lack of light necessarily excludes him from all the active employments of life, and shuts him out, to a great extent, from the companionship of his fellows, and deprives him of the innumerable and varied advantages and pleasures coming to the human being through the organs of vision. Added to this deplorable condition, this state is not unfrequently followed in old age by a gradual decaying of the natural powers, and a miserable harvest of errors, discontent, petulance, disordered imagination, causeless prejudice, and arrogant conceit.

Education is the only proper remedy, preventive and corrective, for all these evils. In the system devised for the education of the blind, methods and expedients are employed by which the other senses are made to supply the absence of sight.

They have to read by means of letters embossed on paper, so as to be palpable to the sense of touch.

To teach them, geography, globes, maps and charts are prepared, with the lines of divisions, continents, islands and other objects made in relief.

The study of arithmetic is pursued by means of peculiarly constructed slates, with movable figures.

They even learn to write, with the use of appropriate apparatus designed for that purpose. Hence, in the use of these and other methods, with the oral instructions accompanying, very few intellectual studies or departments of learning are inaccessible to the blind. Music is a source of endless entertainment to them in school and afterlife, and not unfrequently, also, a means of livelihood to them as teachers, performers in concerts, and organists to churches.

Handicrafts afford them a field for the exercises of profit-

able industry, and it is a source of satisfaction to your committee to learn that several apprentices of this department have been qualified, with the training of a single year, to earn a living for themselves, and that many of them are now, by their own labor, independent of the country or their friends.

It is evident that the blind cannot be educated in the ordinary methods, or in the ordinary schools. From the necessity of the case, there must be a separate establishment for them, supplied with all suitable appurtenances and appliances for that object; and that such an institution must be maintained by the State. At the same time, such an institution as that at Macon, thus maintained and managed, must reflect creditably upon the enterprise, munificence, and enlightened policy of the State, and be the just pride of every citizen.

Your committee respectfully refer for further information and details concerning this institution, to the report of the Board of Trustees, including the report of the Treasurer and Principal of the school, made to Brevet Brigadier General T. H. Ruger, Provisional Governor of Georgia, dated at Macon, July 2d, 1868; all of which we have carefully examined, and find satisfactory and correct.

We take great pleasure in testifying to the eminent qualifications and superior management of the efficient Principal, W. D. Williams, and respectfully recommend that the amount of money asked for by the Principal and Board of Trustees in said report, to-wit: \$11,000, be appropriated by the General Assembly.

THOS. J. SPEER,

Chairman Senate Committee.

B. B. HINTON,
WM. GRIFFIN,
J. J. COLLIER,
W. F. JORDAN,
M. C. SMITH,
C. B. WOOTEN.

On motion, the report was laid on the table for the present, and fifty copies ordered to be printed for the use of the Senate.

Mr. Winn, from the Committee on Education, appointed respectively by the Senate and House of Representatives, made the following report:

Mr. President: The Committee on Education, appointed by the Senate and House of Representatives, to draft a com-

mon school law, have had the same under consideration, and recommend the adoption of the following resolution :

Resolved, That it is the understanding of the committee to draft a common school law, that the constitution requires the adoption of such a law at the next session of the General Assembly, and that owing to the amount and urgency of the business already before the General Assembly, and the importance of deliberately framing and acting upon a law contemplated to be drafted by the committee, we request to defer the presentation of a report until the next session.

W T. WINN,

Chairman.

On motion of Mr. Harris, the report was laid on the table for the present.

The Senate then took up the House bill to authorize the Macon and Brunswick Railroad Company to extend a branch of said railroad from the town of Hawkinsville, in Pulaski county, to the town of Fort Valley, in the county of Houston.

Mr. Harris offered the following amendment, to-wit :

“Provided, That nothing shall be so construed in this bill as to authorize State aid.”

After debate, Mr. Adkins, called for the previous question, which being sustained, the main question was ordered upon the amendment of Mr. Harris. whereupon the yeas and nays were required to be recorded.

Those who voted in the affirmative are, Messrs :

Bowers,	Griffin, 21st Dist.,	McWhorter,
Burns,	Harris,	Speer,
Corbitt,	Higbee,	Stringer,
Dickey,	Holcombe,	Welch.
Fain,	Jordan,	Winn.
Griffin, 6th District,	McCutehen,	

Those voting in the negative, are Messrs :

Adkins,	Graham,	McArthur,
Anderson,	Hicks,	Nesbitt,
Candler,	Hinton,	Sherman,
Colman,	Jones,	Smith, 7th Dist.,
Collier,	Merrill,	Wellborn.

Yeas 17; nays 15. So the amendment of Mr. Harris was agreed to.

The question was then ordered upon the passage of the bill as amended, and the bill, as amended, was passed.

On motion, the rules were suspended, and Mr. Burns, offered the following resolution, to-wit :

Resolved, That in order to hasten the business of the Senate, that the rules of the Senate be amended so as to restrict debate to ten minutes, and only twice on the subject; *provided*, that the time may be extended by the consent of the Senate.

Mr. Candler moved to amend by striking out the words ten minutes, which was not agreed to.

Mr. Adkins offered the following as a substitute, which was not agreed to, to-wit:

Resolved, That no speech be longer than fifteen minutes, except by the consent of two-thirds of the Senate, after this date.

The question recurred upon the adoption of the resolution of Mr. Burns, which was agreed to.

The Senate took up, as the report of the Committee of the Whole, the bill for the removal of the county site of any county.

On motion of Mr. Winn, the bill was laid on the table.

The Senate took up the bill to make bills of indictment amendable.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to secure intelligent jurors and to provide for paying the same.

The Judiciary Committee, to whom this bill was referred, reported the same back with the recommendation that it do not pass.

The report of the committee was agreed to, and the bill was lost.

The Senate took up, as the report of the Committee of the Whole, the bill to incorporate the Georgia Loan and Trust Company.

Mr. Winn moved to amend by striking out the following, in section four, which was accepted, to-wit:

"And all mortgages, so taken, shall be considered as upon personal property, and may be foreclosed under the laws made and provided for the foreclosure of mortgages on personal property in this State."

Also, at the close of section four, add the following:

"*Provided*, The rate of interest shall not exceed seven per cent."

Mr. Candler offered the following as section twelve to-wit:

"That the stockholders, for the time being, shall be individually liable in proportion to the amount of their stock for the ultimate payment of the debts of the corporation."

Mr. Holcombe offered the following as a substitute to the amendment of Mr. Candler, to-wit:

"That each stockholder shall be personally liable for all the liabilities of the company."

After debate, Mr. Candler called for the previous question, which being sustained, the main question was ordered upon the substitute of Mr. Holcombe, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adams,	Dickey,	McArthur,
Adkins,	Graham,	McCutchen,
Bowers,	Griffin, 6th Dist.,	McWhorter,
Brock,	Harris,	Sherman,
Colman,	Hicks,	Stringer,
Corbitt,	Holcombe,	Winn.

Those voting in the negative, are Messrs:

Anderson,	Lester,	Smith, 36th Dist.,
Candler,	Merrill,	Speer,
Collier,	Nesbitt,	Wellborn,
Fain,	Nunnally,	Welch.
Gignilliat,	Richardson,	

Yeas 18; nays 15. So the substitute, as offered by Mr. Holcombe, was adopted.

The question then recurred upon the passage of the bill as amended, and the bill, as amended, was passed.

Mr. Nunnally, from the committee appointed by joint resolution of the Senate and House of Representatives to inquire into the disturbance at Camilla, Georgia, made the following report:

Mr. President: The undersigned committee, appointed by joint resolution of the Senate and House of Representatives, to take into consideration the message of the Governor in reference to the disturbance at Camilla, beg leave to make the following report:

They find that the evidence referred to by his Excellency is not sustained by the evidence produced before the committee, and which is herewith returned. They have come to the conclusion that the whole difficulty occurred and originated from the determination of the parties referred to in his Excellency's message, to-wit: Pierce, Murphy, and Putney to enter the town of Camilla at the head of an armed company of freedmen, which right was disputed by the sheriff of the county.

The persistence of the one and determination of the other caused the disturbance.

They find that the civil authorities have shown themselves able to execute the law, and there is no necessity for any military interference.

Senate—A. D. NUNNALLY

House—C. C. DUNCAN,
W. H. F. HALL,
W. D. HAMILTON,
H. MORGAN.

I agree with the committee, but believe other legislation is necessary to preserve order and protect persons and property.

W. C. SMITH,
of the Senate.

ALBANY, GA., September 21, 1868.

A. D. Nunnally, of Senate, and C. C. Duncan, of House Committee :

GENTLEMEN : Please find below a sworn statement of the best citizens of Mitchell county, and our report :

GEORGIA, MITCHELL COUNTY.

Personally appeared before the undersigned, Munford J. Poore, sheriff of said county, Josiah B. Butler, Robert Cochran, Sr., H. C. Dasher, ordinary of said county, W. A. Byrd, Wade C. Cox, B. F. Brimberry, E. A. Shackelford, who make the following statement under oath : On Saturday, the 19th instant, it was made known to the citizens of Camilla, that John Murphy, of Albany, Ga., had issued his circular, and secretly circulated the same among the colored men of this county, ordering them to bring their arms with them to the political meeting advertised for that day at this place. The information was corroborated by statements made by Robert Cochran, Sr., Thomas Jones, and others, who came from the road in the direction of Albany, stating that armed negroes were assembling in large numbers at China Grove Church, waiting for the delegation from Albany, headed by said Murphy and Pierce, the candidate for Congress, who were to be speakers for the occasion. At the request of the citizens, M. J. Poore, sheriff, with a committee of six other citizens, went out to meet said procession, and to protest against armed negroes being marched in procession in our town, and to state to them distinctly that if they would put down their arms no objection would be made to their entering

the town and holding their political meeting. The sheriff delivered this message to Murphy and Pierce, the leaders of the procession, and they replied that they had nothing to do with those armed men, the guns belonged to them, and they were in the habit of carrying them wherever they went. The sheriff replied, that as a peace officer it was his duty, under the law, to forbid the assemblage armed men at political meetings, and assured them that if they entered the town with their music and banners, followed by armed men, as they then were, that there would be a breach of the peace, and he would not be responsible for the consequences.

Shortly afterwards the column moved in town in regular order, headed by Pierce, the candidate for Congress, and one Putney, white, in a buggy, armed with a double-barrel shot gun, a Spencer rifle, and two pistols, with a quantity of ammunition, as was afterwards ascertained; next, a four-horse wagon, containing a band and a number of armed negroes; next followed a column of negro men on foot, between three and four hundred, attended by about twenty mounted outriders, at least one-half, if not two-thirds, were armed with guns, and the most of them with pistols, the music playing, and the crowd noisy and threatening in their conduct. Murphy and one Philip Joiner, negro, in a buggy, in the rear. As the head of the column approached the square, one of our citizens, James Johns, who was intoxicated, approached within a few feet of the column, and ordered the music to stop, which was not obeyed.

The column moved on. When about twenty steps from him his gun was fired; whether intentionally or unintentionally, is not known; but it was pointed in a different direction, and the contents struck the ground about twelve feet from him. The column fired a volley, some of the shots at Johns, most of them in the direction of Maple's store—thirty or forty steps from the column, at which place there was a number of our citizens, all unarmed—wounding six of our citizens. Immediately about twenty of our citizens sprang to their arms and fired into the column, by which two negroes were killed and a number unknown wounded. The negroes immediately broke to a thick cluster of timber one hundred yards north of the court house. At this point there was an attempt made by Pierce to rally his routed forces. Our citizens immediately, to about thirty—part of them mounted—made a charge and completely routed the whole force; Pierce flying through the woods and fields, Murphy and Phil Joiner escaping in a buggy up the road towards Albany. Seven negroes were killed; all of whom were genteelly buried by a committee appointed for that purpose. From the best infor-

mation we have been able to procure, between thirty and forty were wounded, all whom have been properly cared for. It is a source of deep regret that the calamitous consequences of this affair fell exclusively upon the poor deluded negroes, led on by the wicked white men, Murphy, Pierce and Putney, who made good their escape in the hour of danger, with but little injury to themselves. This sad result is to be attributed more to the sharpness and shrewdness of these gallant leaders in effecting their escape than to the want of intention on the part of our people. We hereby disavow any purpose or intent on the part of ourselves or our citizens to violate the law or the peace of the State in what was done. We were willing, and so expressed ourselves to these leaders, for them to hold their political meeting at the court house, in our town, if the negroes were disarmed; but we did think, and still think, that it was our duty to obey the orders of the sheriff, as a civil officer of this State, in breaking up this unlawful assemblage. We felt that as their number vastly exceeded that of our citizens present, that if this meeting had taken place that the lives of our wives and children would be at the mercy of an infuriated mob. While the consequences are to be regretted, and we do not boast of what was done by our people, we feel that they have but discharged a painful duty imposed upon them by wicked and corrupt white men now engaged in leading astray into acts of lawlessness the colored people of our country.

We appeal to the law-making powers of Georgia and the lawful authorities of the United States government to check the progress of these strolling criminals that are prowling about the houses and disturbing the peace and quiet of our war-stricken people.

GEORGIA, MITCHELL COUNTY

Personally came before me, James J. Morgan, who, being sworn, says that on Saturday last, while the procession was moving on the road from Albany to this place, he met them and heard the following conversation: John Murphy, who was in a buggy with a grey horse, leading the procession. He heard one of the musicians say that they would burn up the town of Camilla to-day or speak there; that was their orders, and this was concurred in by the crowd who heard it. He heard several other negroes talking and saying they would settle James John's hash for him that day, meaning they would kill him.

Sworn to and subscribed before me, this the 21st day of September, 1868.

JAMES J. MORGAN.

M. CAMERON, J. P.

I do certify that the above deponent is a truthful and reliable young man, and that his statements are reliable.

JOHN W. PEARCE,
Clerk Superior Court, Mitchell County.

GEORGIA, MITCHELL COUNTY.

You, and each of you, do solemnly swear that the facts and things set forth in the above and foregoing statement, so far as they have come to your own knowledge, are true, and so far as they depend upon information derived from others, that you do believe them to be true.

Sworn to and subscribed before me, this the 21st day of September, 1868.

M. CAMERON, J. P.

M. S. POORE,
J. B. BUTLER,
ROBERT COCHRAN,
H. C. DASHER,
WM. A. BYRD,
W. C. COX,
B. F. BRINBERG,
E. H. SHACKELFORD.

ALBANY, GA., September 21st, 1868.

We hereby certify that we are well acquainted with each of the above affiants; that they are men of good character and their statements are entitled to the fullest confidence.

D. A. VASON,
T. H. JOHNSTON,
C. W. CLARK,
R. HOBBS.

To the Committee of the Senate and House of Representatives of the State of Georgia:

We left Camilla this day at twelve o'clock, noon. All was quiet, and no apprehension is felt of any further trouble in

the matter. The act of the citizens was under orders of Mr. Poore, the sheriff of the county. They acted as his posse in the whole affair. The negroes in the county are all quiet, and no bad feelings exist between them and the whites, growing out of the affair. There were but few negroes present except those who marched in the procession. There is no necessity for any additional force to protect either white or black in the county. The wounded negroes are all cared for, and received the sympathies of all the whites. The whole difficulty originated in the right claimed by Murphy, Pearce & Co. to carry the negroes into the political meeting with their arms; this right was disputed by Mr. Poore, sheriff of the county, who insisted that, under the proclamation of the Governor and the law it was his duty, as a civil officer, to prevent it. No excitement in Alabama.

D. A. VASON,

T. H. JOHNSTON.

Mr. Candler moved to adopt the report.

Mr. Hungerford moved to lay the same on the table; which was not agreed to.

After debate, Mr. Griffin, of the 21st District, called for the previous question; which being sustained, the main question was put upon the adoption of the report. Whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adams,	Gignilliat,	Nestitt,
Anderson,	Hinton,	Nunnally,
Burns,	Holcombe,	Smith, 7th Dist.,
Candler,	Jordan,	Smith, 36th Dist.,
Collier,	Lester,	Wellborn,
Fain,	McArthur,	Winn.
Graham,	McCutchen,	
Griffin, 21st Dist.,	McWhorter,	

Those voting in the negative, are Messrs:

Adkins,	Higbee,	Stringer,
Bowers,	Jones,	Welch.
Colman,	Merrill,	
Harris,	Sherman,	

Yeas 22; nays 10. So the report was adopted.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk, to-wit :

Mr. President: The House of Representatives have passed the following bills to-wit :

A bill to fix the time for electing Representatives from this State in Congress.

A bill to be entitled an act to incorporate the Cherokee Manufacturing Company, of Floyd county, Georgia, and the Etowah Manufacturing Company, of Bartow county, Georgia.

A bill to be entitled an act to carry into effect the 7th article of the Constitution of Georgia, as a substitute for a Senate bill entitled an act to provide for setting apart a homestead of realty, etc.

The following message was received from his Excellency the Governor, by Mr. Davis, his Secretary, to-wit :

Mr. President: I am directed by the Governor to deliver to the Senate a sealed communication, which he respectfully asks to have considered in Executive session.

On motion of Mr. Harris, the regular order was suspended and the Senate went into Executive session, and after remaining some time therein, the doors were thrown open and it transpired that while in Executive session, the Senate had confirmed the following appointments of his Excellency :

The Hon. William Schley, of the county of Chatham, to be Judge of the Superior Courts of the Eastern Circuit for the term of eight years from the twenty-first day of July, one thousand eight hundred and sixty-eight.

The Hon. John S. Bigby, of the county of Coweta, to be Judge of the Superior Courts of the Talapoosa Circuit for the term of eight years from the twenty-first day of July, one thousand eight hundred and sixty-eight.

The Hon. Cornelius D. Forsyth, of the county of Paulding, to be Solicitor General of the Superior Courts in the Talapoosa Circuit for the term of four years from the twenty-first day of July, one thousand eight hundred and sixty-eight.

The hour having arrived, the Senate adjourned to three o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment, and was called to order by the President.

The Senate took up as the report of the Committee of the Whole the bill to incorporate the Griffin Loan, Trust and Savings Institution.

Mr. Winn proposed to amend by adding the following as section twelve; which was accepted, to-wit : " That the stockholders of said company shall be individually liable for double the amount of the stock subscribed."

On motion of Mr. Nunnally, the report of the committee

was agreed to, and the bill, as amended, was read the third time and passed.

The Senate took up as the report of the Committee of the Whole the bill to incorporate the Central Georgia Mutual Life Insurance Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives has concurred in the first, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth and fourteenth amendments of the Senate, and disagree to the second amendment of the Senate to the bill of the House to be entitled an act to levy and collect a tax for the support of the government for the year 1868, and for other purposes, and they respectfully request the Senate to recede from said second amendment, and I am instructed to transmit this action of the House to the Senate forthwith.

The Senate took up the bill to consolidate the offices of Receiver of Tax Returns and Tax Collector for Chatham county.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to and the bill was lost.

The Senate took up as the report of the Committee of the Whole the bill to incorporate the Georgia Fire and Marine Insurance Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill declaring who are eligible to the district judgeship.

On motion of Mr. Holcombe the bill was laid on the table for the present.

The Senate took up the report of the committee on the bill to punish the vendors of lottery tickets in this State, for which the Judiciary Committee reported the following as a substitute; which was adopted in lieu of the original, to-wit:

A BILL

To be entitled an act to carry into effect Section XXIII, Article 1 of the Constitution of this State, and for other purposes.

Whereas, It is declared by the 23^d section of the 1st article of the Constitution of this State that "no lottery shall be authorized or sale of lottery tickets allowed in this State,

and adequate penalties for such sale shall be provided by law;" therefore—

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act any person or persons who shall sell or offer for sale in this State any lottery ticket or tickets for any lottery to be drawn in this State or elsewhere, shall be guilty of a misdemeanor and subject to indictment before any court having jurisdiction thereof, and upon conviction shall pay a fine of not less than five hundred dollars for each ticket so sold or offered for sale, or imprisonment in the common jail of the county not less than six months.

SECTION 2. Repeals conflicting laws.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The Senate took up the bill to define persons subject to road duty in this State.

On motion of Mr. Burns, the bill was referred to the Committee on Internal Improvements.

On motion of Mr. Harris, the Senate took up the message of the House on the bill to levy and collect a tax for the support of the government for the year 1868, and for other purposes, in which they had refused to concur in the amendment of the Senate to the second section.

Mr. Harris moved that the Senate do adhere to its amendment.

Mr. Candler moved as an amendment that the Senate recede from its amendment; which motion was lost.

The question was then put upon the motion of Mr. Harris; which was agreed to.

On motion, the Senate adjourned until to-morrow morning at nine o'clock.

SENATE CHAMBER,
ATLANTA, GEORGIA,

WEDNESDAY, September 23, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Hinton, Honorable Senator from the 24th District.

The roll was called, and the Journal of the previous day read and approved.

Mr. Holcombe, in accordance with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to incorporate the Griffin Loan Trust, and Savings Institution.

After debate, Mr. Nunnally called for the previous question, which being sustained, the main question was ordered upon the motion to reconsider, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs.

Adkins,	Graham,	Holcombe,
Brock,	Harris,	Sherman,
Colman,	Higbee,	Stringer.
Corbitt,		

Those voting in the negative, are Messrs :

Adams,	Griffin, 21st Dist.,	McCutchen,
Anderson,	Gignilliat,	McWhorter,
Bowers,	Hicks,	Nesbitt,
Burns,	Hinton,	Nunnally,
Candler,	Hungerford,	Smith, 36th Dist.,
Collier,	Jones,	Speer,
Dickey,	Jordan,	Wellborn,
Fain,	Lester,	Welch,
Griffin, 6th Dist.,	Merrill,	Wooten.

Yeas, 10 ; nays, 27. So the motion to reconsider did not prevail.

Mr. Candler, in conformity with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate, on the bill to incorporate the Georgia Loan and Trust Company

After debate, the question was put upon the motion to reconsider, which was agreed to.

Mr. Candler then proposed to strike out section twelve, and insert in lieu thereof, the following, to-wit :

"That the stockholders for the time being, shall be individually liable in proportion to the amount of their stock, for the ultimate payment of the debts of the corporation."

Mr. Harris proposed to amend by inserting the word "doubly" before the word "liable."

After debate, Mr. Candler called for the previous question, which being sustained, the main question was put upon the motion to strike out section twelve, which was agreed to.

The question was then put upon the amendment as proposed by Mr. Harris, which was not agreed to.

The question then recurred upon the adoption of the substitute, as proposed by Mr. Candler, for section twelve, which was adopted.

The question was then put upon the passage of the bill as amended, and the bill as amended was passed.

The Senate took up the bill to prevent the sale or circulation in this State, of indecent, vulgar or obscene periodicals.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the Committee was agreed to, and the bill was lost.

On motion, the rules were suspended, and Mr. Holcombe introduced the following bill which was read the first time, to-wit :

A bill to incorporate the Scudder Mining and Manufacturing Company, and for other purposes.

On motion, the rules were suspended, and Mr. Nunnally introduced the following bills, which were taken up and severally read the first time, to-wit :

A bill to require the sheriffs of the various counties to organize a police force for the various counties of this State, to preserve order at political meetings, and on days of election, and to provide pay for the same.

A bill to alter and change the names of Lonellar Ester Newton, Annie Ellen Newton, Oliver Charlie Newton, Mary Newton and Lee Newton, of Spalding county.

The rules were suspended, and Mr. Hinton offered the following resolution, to-wit :

Resolved, By the Senate, the House consenting thereto, that the General Aesembly do adjourn on the first day of October next, at eleven o'clock A. M.

Mr. Wellborn moved to refer the resolution to a joint committee, which was agreed to.

The Chair announced as the committee on the part of the Senate, Messrs. Wellborn, Harris and Holcombe.

The rules were further suspended, and Mr. Merrill offered

the following resolution, which was referred to the Judiciary Committee, to-wit :

Resolved, That matter on the Secretary's calendar at the time of adjournment, upon which final action has not been had, be regarded as unfinished business at the next session of the Senate, to be acted upon in the order in which the same appears on the calendar.

The rules were further suspended, and Mr. Speer offered the following resolution, which was referred to the Judiciary Committee, to-wit : Be it

Resolved, By the Senate and House of Representatives of the State of Georgia, in General Assembly met, that His Excellency, the Governor of Georgia, be and he is hereby authorized to accept the surrender of the charter of "The City Bank," a body corporate located in the city of Augusta, and incorporated by act of the General Assembly of the State of Georgia, approved February the ninth, eighteen hundred and fifty-four.

Mr. Smith, Chairman of the Committee on New Counties and County Lines, made the following report :

Mr. President : The Committee on New Counties and County Lines have had under consideration, the following bills, to-wit :

A bill to be entitled an act to so change the line between the counties of Polk and Harralson, so as to add the county of Harralson lots of land, Nos. 401, 402, 472, and 473, which they recommend do pass.

Also a bill to be entitled an act to change the residence of Thomas L. Newborn, of the county of Coffee, to the county of Clinch, which they recommend do pass.

Also a House bill, to be entitled an act to change the line between the county of Quitman and the county of Stewart, which they recommend do pass.

W. C. SMITH,
Chairman.

Mr. Nunnally, Chairman of the Committee on Internal Improvements, made the following report :

Mr. President : The Committee on Internal Improvements have had under consideration, a bill to incorporate the Etowah Manufacturing and Mining Company, and to confer certain powers and privileges, which they recommend do pass.

A. D. NUNNALLY,
Chairman,

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives has concurred the following resolution of the Senate, to-wit:

A resolution appointing a committee of three from the Senate, to co-operate with such committee as may be appointed by the House, to consider a resolution introduced in the Senate on the subject of adjournment.

Also, a bill to be entitled an act to amend an act to incorporate the Georgia Western Railroad Company.

Also, a bill to be entitled an act to repeal an act, prohibiting the sale of spirituous liquors in the town of Fayetteville, approved December 3d, 1859.

Mr. Wellborn, Chairman of the Committee on Banks made the following report:

Mr. President: The Committee on Banks, to whom were referred a bill to be entitled an act to incorporate the Merchants Savings Bank of Augusta, have had the same under consideration, and recommend that it do pass with the following amendment, to come in at the end of the third section, to-wit

Provided, That the stockholders for the time being, of the said bank, shall be individually liable for the ultimate payment of the debts of the said bank, in proportion to the amount of their stock

They have also had under consideration, a bill to be entitled an act to incorporate the Ocean Bank of Brunswick and recommend that it do pass with the following amendments, to-wit:

In the eleventh line of the third section, strike out the word "called" and insert "paid," and after the word "debt," in the seventh line from the last, in the ninth section, add the words, "and for the ultimate payment of all the debts of the said bank."

C. J. WELLBORN,
Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have passed by a constitutional majority—yeas 90; nays 45—the following bill, to-wit:

A bill to re-organize the municipal government of the city of Augusta.

A bill to be entitled an act to alter and amend an act entitled an act to amend an act to incorporate the town of Marthasville, in the county of DeKalb, passed on the 23d day of December, 1843, and also to enlarge the boundary of said town and to incorporate the same under the name of the City

of Atlanta, and to change the name of the town of Rome to that of the City of Rome.

A bill to be entitled an act to incorporate the Buckeye Mining and Manufacturing Company of Forsyth, Hall, Dawson and adjoining counties of North East Georgia.

The Senate took up the message of the House in reference to the veto of his Excellency, the Governor, on the bill to re-organize the municipal government of the city of Augusta, and upon the question, "shall this bill now pass, the veto of his Excellency the Governor to the contrary notwithstanding?" a constitutional majority being required to pass the same, the yeas and nays were required to be recorded.

Those who voted in the affirmative are, Messrs :

Adams,	Griffin, 21st Dist.,	McArthur,
Anderson	Gignilliat,	McCutchen,
Brock	Hicks,	McWhorter,
Burns,	Hinton,	Nesbitt,
Candler,	Holcombe,	Nunnally,
Collier,	Hungerford,	Smith, 7th Dist.,
Fain,	Jordan,	Wellborn,
Graham,	Lester,	Winn.

Those who voted in the negative are, Messrs :

Adkins,	Dickey,	Jones,
Bowers,	Griffin, 6th Dist.,	Stringer,
Colman,	Harris,	Welch.
Corbitt,	Higbee,	

Yeas 24; nays 11. So the bill was passed by a constitutional majority over the veto of his Excellency the Governor.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives insists upon its disagreement to the amendment of the Senate to the bill of the House to be entitled an act to levy and collect a tax for the support of the government for the year 1868, and for other purposes; which amendment proposes to strike out the 9th paragraph of section 2d and insert in lieu thereof a substitute.

The Senate took up as the report of the Committee of the Whole on the bill to repeal section 896 of the Code.

On motion, the bill was laid on the table for the present.

The Senate took up as the report of the Committee of the Whole on the bill to repeal an act to prescribe the mode of electing the Mayor and Members of Council of the city of Atlanta.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill for the election of municipal officers in this State.

On motion, the bill was indefinitely postponed.

The Senate took up the bill to extend the aid of the State to the Macon and Augusta Railroad Company.

The Committee on Internal Improvements, to whom this bill was referred, reported in favor of its postponement until the next annual session of the General Assembly.

On motion, the report of the committee was disagreed to.

The question was then ordered upon the passage of the bill, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are Messrs.

Adams,	Griffin, 6th District,	Richardson,
Adkins,	Gignilliat,	Sherman,
Anderson,	Hungerford,	Smith, 7th Dist.,
Bowers,	Jones,	Smith, 36th Dist.
Brock,	Merrill,	Speer,
Colman,	McArthur,	Stringer,
Corbitt,	McCutchen,	Wellborn,
Graham,	Nunnally,	Wooten.

Those voting in the negative, are Messrs:

Burns,	Griffin, 21st District,	Jordan,
Candler,	Hicks,	Lester,
Dickey,	Hinton,	Winn.

Yeas 24; nays 9. So the bill was passed.

The hour having arrived, the President announced the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment, and was called to order by the President.

The Senate took up the bill to incorporate the Bainbridge District of the South Georgia Conference.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to legalize certain marriages, and relieve the parties thereto from pains and penalties.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up as the report of the Committee of the Whole on the bill to authorize the sale of the real estate of the Fletcher Institute, and re-invest the proceeds of said sale.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up the bill to incorporate the Turtle River and Scriven Railroad Company.

The Committee on Internal Improvements, to whom this bill was referred, reported in favor of its passage, after striking out the last three lines of the same.

The report of the committee was agreed to, and the bill, as amended, was read the third time, and passed.

The Senate took up the bill to amend the 2489th paragraph of the new Code of Georgia, and to allow sureties on administrator's bonds to make returns in certain cases.

The Judiciary Committee, to whom this bill was referred, reported the same back, with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up the bill for the relief of persons whose lands were sold under tax *fi. fas.* for the years 1860 to 1865, inclusive, and to provide for the redemption of the same.

On motion of Mr. Nunnally, the bill was laid on the table for the present.

On motion of Mr. Burns, the Senate took up the message of the House on the bill to levy and collect a tax for the support of the Government for the year 1868, and for other purposes, in which the House still refuses to accept the amendment as proposed by the Senate to section second of said bill.

Mr. Candler moved that the Senate do adhere to its amendment, and ask for a committee of conference, which was agreed to.

The Chair announced as the committee on the part of the Senate, Messrs. Burns, Winn, and Smith, of the 7th District.

On motion, the rules were suspended, and Mr. Smith, of the 36th District, offered the following resolution, which was adopted, to-wit:

Whereas, Mr. Bruton, a member of the Special Committee appointed to investigate the affairs and condition of the Western and Atlantic Railroad, is not present, and probably will not be here in time to act; therefore,

Resolved, That the President appoint a member to act in place thereof on said committee.

The Chair accordingly announced the name of Mr. Speer, in place of Mr. Bruton.

The Chair announced the appointment of Mr. Adams on the Committee of Privileges and Elections, vice T. G. Campbell, Sen.; also, on the Committee on the Military, vice George Wallace.

On motion, the rules were suspended, and Mr. Lester introduced the following bill, which was taken up and read the first time, to-wit:

A bill to explain an act, entitled "An act to levy and collect a tax for the support of the Government for the year 1868, and for other purposes."

The Senate took up the bill to incorporate the Marshall Hose Company of Savannah.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to fix the compensation for taking down evidence in writing on charges of felony.

The Judiciary Committee, to whom this bill was referred, reported the same back, with the recommendation that it do pass, with an amendment.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up as the report of the Committee of the Whole on the bill for the relief of Andrew Gay, of Emanuel county.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up the bill to change the line between the counties of Randolph and Terrell, so as to include the residence and farm of James W Bone within the limits of Terrell county.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up the bill to exempt certain persons from jury duty, who are members of the fire companies in the city of Albany.

Mr. Griffin, of the 21st District, offered the following amendment as section third, to-wit:

And be it further enacted, That the same privileges as

contained in the provisions of this bill be extended to fifty members of the Merchants' and Mechanics' Fire Company of the city of Milledgeville, the names of such members to be designated by the foreman, and furnished to the clerk of the Superior Court of Baldwin county.

Pending consideration, the hour having arrived, the President announced the Senate adjourned until to-morrow morning, at 9 o'clock.

SENATE CHAMBER,
ATLANTA, GEORGIA,
THURSDAY, September 24th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Crumley.

The roll was called, and the Journal of the previous day read and approved.

The Senate resumed the consideration of the unfinished business of yesterday, the same being the bill to exempt certain persons from jury duty, who are members of fire companies in the city of Albany.

On motion, the report of the committee was amended by striking out the words "twenty-five members," and inserting in lieu thereof, the words, "sixty members."

On motion, the amendment, as proposed by Mr. Griffin, of the 21st District, was agreed to.

The report of the committee, as amended, was agreed to; the bill, as amended, was read the third time and passed, under the following title, to-wit:

A bill to be entitled an act to exempt certain persons from jury duty, who are members of the fire companies in the cities of Albany and Milledgeville.

The Senate took up the bill to prevent fraud, bribery, and intimidation at elections.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

On motion, the bill was laid on the table for the present.

The Senate took up the bill to repeal section 2525, of Irwin's Revised Code of Georgia, in relation to judgment liens, and to adopt a section in lieu of said repealed section; and also, to change section 2863, of said Code, to make it conform to this act.

On motion of Mr. Jones, the bill was laid on the table for the present.

The Committee on Agriculture and Manufactures, to whom House bill, No. 258, to be entitled an act to prevent the illegal return of lands in this State, have had the same under consideration, and recommend that it do pass.

A. W. HOLCOMBE,
Chairman.

The Senate took up, as the report of the Committee of the Whole, the bill to incorporate the Southern Life Insurance Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The following bills were taken up and severally read the second time and referred to the Committee of the Whole to-wit :

A bill to alter and change the names of Lonellar Este Newton, Annie Ellen Newton, Oliver Charlie Newton, Mar Newton, and Lee Newton, of Spalding county.

A bill to regulate the issue and payment of all orders upon the county treasurer of the different counties of this State.

A bill to authorize the sale of lands of the Georgia Military Institute.

A bill to relieve Julius W Driver from pains and penalties of the second marriage.

A bill to incorporate the Scudder Mining and Manufacturing Company, and for other purposes.

A bill to explain an act entitled an act to levy and collect a tax for the support of the government, for the year 1868 and for other purposes.

The following bills were taken up and severally read the second time and referred to the Committee on the Judiciary to-wit :

A bill for the relief of John N. Sligh, and James Sligh of the county of Paulding.

A bill to add a proviso to section 4492, of Irwin's Code

A bill to require the sheriffs of various counties to organize a police force for the various counties of this State, to preserve order at political meetings, and on days of elections and to provide pay for the same.

A bill to change section 1967, of Irwin's Revised Code.

A bill to create a court for the trial of criminal cases in this State, and for other purposes.

A bill to incorporate the Gainesville, Dahlonega and Ducktown Railroad Company.

A bill to alter and amend the 4333rd section of Irwin's Code, relating to the punishment for cattle stealing.

The following message was received from his Excellency the Governor, by Mr. Davis, his Secretary, to-wit:

Mr President: The Governor has signed the following joint resolution, to-wit:

"Joint resolution to authorize the acceptance of the charter of the Bank of Savannah."

The Senate took up, as the report of the Committee of the Whole, the bill to levy and collect a tax on pistols, and bowie knives.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill to alter and amend the tenth article, of the Constitution of this State.

After debate, Mr. Griffin, of the 21st District, moved to lay the bill on the table for the present.

Mr. Winn moved to postpone the bill indefinitely

After debate, Mr. Moore called for the previous question, which being sustained, the main question was ordered upon the motion to postpone indefinitely, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Brock,	Holcombe,	Richardson,
Candler,	Hungerford,	Sherman,
Colman,	Jones,	Smith, 7th District,
Dickey,	Merrill,	Welch.
Fain,	McCutchen,	Winn.
Higbee,		

Those voting in the negative, are Messrs:

Adams,	Griffin, 21st Dist.,	Moore.
Adkins,	Hicks,	Nesbitt,
Anderson,	Hinton,	Nunnally,
Collier,	Jordan,	Speer,
Corbitt,	Lester,	Stringer,
Graham,	McArthur,	Wooten.
Griffin, 6th Dist.,	McWhorter,	

Yeas 16; nays 20. So the motion to postpone the bill indefinitely did not prevail.

The question then recurred upon the motion to lay the bill on the table for the present, which was not agreed to.

The question then recurred upon the passage of the bill, a constitutional majority being required to pass the same, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adams,	Hicks,	Moore,
Anderson,	Hinton,	Nesbitt,
Collier,	Jordan,	Nunnally,
Graham,	Lester,	Speer,
Griffin, 6th Dist.,	McArthur,	Stringer,
Griffin, 21st Dist.	McWhorter,	Wooten.

Those voting in the negative are Messrs.

Brock,	Higbee,	Richardson,
Candler,	Holcombe,	Sherman,
Colman,	Hungerford,	Smith, 7th Dist.
Corbitt,	Jones,	Welch,
Dickey,	Merrill,	Winn.
Fain,	McCutchen,	

Yeas, 18 ; nays, 17. So the bill was lost.

The following message was received from the House of Representatives, through Mr. Hardin their Clerk :

Mr. President: The House of Representatives have passed the following bills, to-wit :

A bill to relieve Seaborn Montgomery, and others as securities upon the bond of Henry L. Tison, tax collector of Schley county, so far as relates to the Convention tax.

Also, a bill to incorporate the Brunswick Gas Light Manufacturing Company.

Also, a bill to change the line between the counties of Clay and Calhoun.

Also a bill to change the lines between the counties of Floyd and Gordon.

Also a bill for the relief of George D. Whitfield, of Dooly county.

Also, a bill to exclude certain lands from the corporate limits of the town of Ringold.

Also, a bill to increase the number of sessions of the Superior Courts of this State, and for other purposes.

Also, a bill to point out the mode of paying the fees of the Solicitor General of the Eastern Judicial Circuit of Georgia, and for other purposes therein enumerated.

On motion, the rules were suspended, and Mr. Hinton introduced the following bill ; which was taken up and read the first time, to-wit :

A bill to continue in office Judges of the Superior Courts in certain cases therein mentioned.

On motion of Mr. McCutchen, the rules were suspended, and the Senate took up the bill of the House to exclude certain lands from the corporate limits of the town of Ringgold. This bill was read the first time.

Mr. Brock, in conformity with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to repeal an act to prescribe the mode of electing the Mayor and Members of Council of the city of Atlanta.

The hour having arrived, the Senate adjourned until three o'clock, P M.

THREE O'CLOCK, P M.

The Senate met pursuant to adjournment, and was called to order by the President.

The Senate resumed the consideration of the bill to repeal an act to prescribe the mode of electing the Mayor and Members of Council of the city of Atlanta.

After debate, the question was put upon the motion to reconsider ; which was agreed to.

The Senate took up the bill to amend article 2d, chapter 3d, title 2, part 2d of the Code.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to change the time for holding elections for Governor, members of Congress and members of the General Assembly.

Also, to change the time of the meeting of the Legislature.

On motion of Mr. Hinton, the bill was laid on the table.

Leave of absence was granted to Senators Adams and Gignilliat for a few days.

The Chair announced the appointment of Mr. Brock on the conference committee on the tax bill, in place of Mr. Burns, absent on official business.

The Senate took up the bill to incorporate the Georgia and Alabama Life Insurance Association.

The Judiciary Committee, to whom this bill was referred, reported the same back without recommendation.

The bill was read the third time, and, on motion of Mr. Hinton, was passed.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tempore*.

Mr. President: The House of Representatives have passed the following Senate bill, to-wit :

A bill to loan the credit of the State to the South Georgia and Florida Railroad Company, and for other purposes.

Also have adopted the following resolution, to-wit:

A resolution appointing a joint committee of three from the Senate and five from the House of Representatives to confer with his Excellency the Governor in relation to paying the members and officers of this General Assembly, and have appointed as such committee on the part of the House Messrs. Hall, of Glynn, Pearson, Taliaferro, Parke, of Green, and Sparks.

The Senate took up the bill for the protection of the citizens of this State.

The Military Committee, to whom this bill was referred, reported the same back with the recommendation that it do not pass.

The report of the committee was agreed to and the bill was lost.

On motion of Mr. Hinton, the Senate took from the table the bill to organize a District Court, to which the Judiciary Committee had reported a substitute, and to which Mr. Hinton had offered a substitute in lieu of the original and the substitute offered by the Judiciary Committee.

Mr. Hinton proposed to strike out in the first section and third line the word "town" and insert the word "militia" in lieu thereof; which was agreed to.

Mr. Speer proposed to amend as follows, which was not agreed to, to-wit: After the words "lawful for" in the third line, insert, "The notary public, who is ex-officio justice of the peace, and who lives at the county site."

Mr. Wellborn proposed the following amendment, which was not agreed to, to-wit: After the words "notary public," insert, "and two justices of the peace, from any part of the county."

Mr. Lester proposed to amend, by inserting after the words "the several counties of this State," the words, "except the county of Chatham."

Mr. Speer proposed to amend by inserting the words, "except the counties of Bibb, Monroe, and Pike."

Mr. Sherman proposed to amend further, by adding the words, "Provided the counties of Columbia, Wilkes, and Lincoln shall be excepted."

Pending further consideration, the hour having arrived, the President announced the Senate adjourned until tomorrow morning, at 9 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

FRIDAY, September 25th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Smith, Honorable Senator from the 7th District.

The roll was called, and the Journal of the previous day read and approved.

Mr. Wooten, in conformity with previous notice, moved to reconsider so much of the journal of yesterday as relates to the action of the Senate on the bill to levy and collect a tax on pistols and bowie knives.

After debate, the question was put upon the motion to reconsider, which was agreed to.

On motion, the bill was indefinitely postponed.

Mr. Griffin, of the 21st District, in accordance with previous notice, moved to reconsider so much of the journal of yesterday as relates to the action of the Senate on the bill to alter and amend the tenth article of the Constitution of this State.

After debate, Mr. Holcombe called for the previous question, which, being sustained, the main question was ordered upon the motion to reconsider, which was agreed to.

On motion of Mr. Nunnally, the bill was laid on the table for the present.

The Senate then took up, and concurred in the following resolution of the House of Representatives, to-wit:

A resolution appointing a joint committee of three from the Senate, and five from the House of Representatives, to confer with his Excellency the Governor, in relation to paying off the members and officers of the General Assembly.

The Chair accordingly announced as the committee on the part of the Senate, Messrs. Harris, Nunnally, and Fain.

Mr. Wellborn, from the Joint Committee, to whom was referred a resolution looking to an adjournment of the General Assembly, on the first day of October next, made the following report:

Mr. President: The Joint Committee, to whom was referred a resolution looking to an adjournment of the General Assembly on the first day of October next, have had the same under consideration, and after carefully looking into the business of the two Houses, recommend the passage of the following resolution, to-wit:

Resolved, That the present session of this General Assembly do adjourn *sine die*, on Tuesday the sixth day of October next, at twelve o'clock M.

All of which is respectfully submitted,

C. J. WELLBORN,
Chairman Senate Committee.

WM. J. HUDSON,
Chairman House Committee.

On motion of Mr. Harris, the Senate took up the report of the Joint Committee, to whom was referred a resolution looking to the adjournment of the General Assembly, on the first day of October next.

On motion of Mr. Harris, the report and the resolution accompanying the same, was adopted.

The rules were suspended, and the Senate took up the following bill, which was read the second time and referred to the Committee on the Judiciary, to-wit :

A bill to continue in office, Judges of the Superior Court in certain cases therein mentioned.

The rules were further suspended, and the Senate took up the following bill of the House of Representatives, which was read the first time, to-wit :

A bill to fix the time for electing Representatives from this State, in Congress.

The Senate resumed the consideration of the unfinished business of yesterday, the same being the bill to organize a District Court.

On motion, the rules were suspended, and Mr. Speer offered the following resolution, which was lost, to-wit :

Resolved, That the District Court bill, with the substitute and amendments, be referred to a committee consisting of Messrs. Hinton, Wooten, Nunnally, Lester, Candler, Brock and Merrill, and that said committee report a bill at the very earliest practicable moment.

After debate, the question was put upon the amendment of Mr. Sherman, which was lost.

The question then recurred upon the amendment of Mr. Speer, which was lost.

Mr. Gignilliat, proposed the following as an amendment to section first which was agreed to, to-wit : At the end of section first, add the following :

“Provided, That the officers authorized to hear and determine cases herein provided for, in the counties of Liberty and McIntosh, be attorneys at law

Mr. Fain offered the following as a substitute for the whole, to-wit :

A BILL

To be entitled an act to carry into effect, the power granted the General Assembly, by section 4, of article 5, of the Constitution of the State of Georgia, to substitute a Court instead of the District Court as contemplated in said Constitution.

SECTION 1st. *Be it enacted by the General Assembly, etc.,* That the law incorporated in Irwin's Revised Code, and which was of force prior to the adoption of the present State Constitution, providing for organizing and setting forth rules for the government of a County Court, accept as hereinafter provided for, shall be of full force and effect in this State, and shall take the place of the District Court mentioned in said Constitution.

SEC. 2d. *Be it further enacted,* That the County Court Judge mentioned in said laws, shall be elected the first time on the first Monday in —, 1868, and every fourth year thereafter, and shall in all cases hold his office until his successor is elected and qualified, and that the Solicitor of the County Court shall be elected at the same time and place with the Judge, and shall be subject to the same rules as to the time of holding his office.

SEC. 3d. Repeals conflicting laws.

After debate, Mr. Hinton called for the previous question, which being sustained, the main question was ordered upon the substitute of Mr. Fain, which was lost.

On motion of Mr. Hinton, section first as amended, was agreed to.

Section second was then taken up.

Mr. Hinton proposed to amend by striking out the word "town," and to insert in lieu thereof, the word "militia," also, to strike out after the word "him" in the second line, and insert the word "them," which was agreed to.

Mr. Moore proposed to insert in the fourth line after the word "witnesses," the words "and counsel," which was agreed to.

On motion, section second, as amended was agreed to.

Section third was taken up and adopted.

Section four was taken up.

Mr. Merrill proposed to amend by striking out all of the section from the word "justice," on the first line, and insert the following in lieu thereof, to-wit :

"That when any person charged with any offence upon the investigation of which it appears that the same is in the opinion of such court, an offence punishable by law

with death or confinement and labor in the penitentiary, or where the accused refuses to waive, in writing, his right to a trial by jury, such court shall bind over such person to appear at the Superior Court of the county in which the offence is alleged to have been committed, to answer said charge."

After debate, Mr. Griffin, of the 21st District, called for the previous question, which being sustained, the main question was ordered upon the amendment of Mr. Merrill, which was lost.

Mr. Nunnally proposed the following amendment, which was adopted, to-wit:

"And no trial shall be had by such Justice, or Notaries Public, unless the indictment by the grand jury be waived by the accused."

The question was then put upon the adoption of section four, as amended, and the same, as amended, was adopted.

Section five was taken up.

Mr. Lester proposed the following amendment, which was agreed to, to-wit:

"*And provided further*, That the order upon the county treasury shall be subject to the approval of the grand jury of the county."

Mr. Moore then moved to strike out section five.

Mr. Hinton moved as an amendment, to postpone the whole bill indefinitely.

After debate, Mr. Merrill called for the previous question which being sustained, the main question was ordered upon the motion to postpone the bill indefinitely, which was not agreed to.

The question recurred upon the motion to strike out section five, which was agreed to.

Section six was taken up.

Mr. Merrill proposed to strike out the word "five," and insert the word "two" in lieu thereof, which was agreed to.

Mr. Winn proposed to insert the following, which was agreed to, to-wit:

"The cost to be paid by the prosecutor if the prosecution is adjudged to be malicious.

Mr. Nunnally proposed the following amendment, which was agreed to, to-wit:

"The said Justice and Notary Public, shall have two dollars for every day that they may sit on any one case."

Section seven was taken up and adopted.

Section eight was taken up.

Mr. Merrill moved to strike out the eighth and ninth

sections to the repealing clause, which was not agreed to.

Section eight was then adopted.

The question was then put upon the adoption of section nine, which was agreed to.

Mr. Nunnally offered the following as an additional section, which was agreed to, to-wit :

“That the Justice or Notary may preside in cases alone, unless the accused or prosecutor shall make a demand for both.”

Mr. Winn proposed the following, which was adopted, to-wit :

“All fines and costs imposed or incurred under this bill shall be enforced by imprisonment in the common jail of the county, not to exceed one day for each dollar.”

Mr. Hinton proposed to amend the title of the bill, so as to read as follows :

“An act to establish in each county in this State a court to be called a Court for the Trial of Criminal Cases; which shall consist of the justice of the peace and a notary public in the district in which the court house is situated.”

Mr. Brock moved to amend the original title as follows, to-wit: after the words “to be entitled an act,” strike out the words “authorize the justices of the peace in the county town districts,” and insert in lieu the following: “to organize a criminal court in the militia.”

Mr. Adkins offered the following as a substitute :

“A bill to establish courts for the trial of offences not subject to punishment in the penitentiary or death.”

After debate, Mr. Adkins called for the previous question; which being sustained, the main question was ordered upon the substitute of Mr. Adkins; which was not agreed to.

The question was then ordered upon the amendment of Mr. Brock; which was lost.

The question then recurred upon the amendment of Mr. Hinton; which was agreed to.

On motion of Merrill, the Senate reconsidered the vote ordering the main question upon the adoption of the title to the bill, as proposed by Mr. Hinton.

Mr. Brock then offered the following; which was adopted as the title to the bill, to-wit :

“A bill to organize a criminal court in the militia districts of the several counties of this State, to try all penal offences known to this State except such as are punishable by death or imprisonment in the penitentiary.”

Mr. Nunnally then moved to refer the bill to a special committee of three, with instructions to report on to-morrow; which was agreed to.

The Chair announced as such committee, Messrs. Hinton, Brock and Nunnally.

The Senate took up the bill to authorize the Universal Life Insurance Company to make investments in the State of Georgia.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

On motion of Mr. Wooten, the rules were suspended, and the Senate took up the resolution authorizing the Governor to purchase four copies of Hines' Legal Form Book for each county, etc.

On motion, the resolution was laid on the table.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President : The House of Representatives have passed the following bills, to-wit :

A bill to be entitled an act to incorporate the Manufacturing Marine Railway Commercial and Dry Dock Company of Brunswick.

A bill to be entitled an act to define the jurisdiction of the courts of this State in suits against railroad companies.

A bill to be entitled an act to prohibit the carrying of concealed weapons.

A bill to be entitled an act to legalize the acts of the Hon. John P. Clarke, Judge of the Superior Court of the Pataula Circuit, while holding the Superior Court of Stewart county, at the April term, 1868.

A bill to be entitled an act to change the line between Berrien and Irwin and Terrell and Lee counties.

A bill to be entitled an act for the relief of criminals confined in the prisons of this State for inability to pay fines, cost, and for other purposes.

A bill to be entitled an act to incorporate the Memphis Branch Railroad Company, and to grant certain powers and privileges to the same, and for other purposes.

A bill to be entitled an act to alter and amend the first section of article 10th of the Constitution of this State.

Also, a bill to be entitled an act to appropriate a fund for the burial of the Confederate dead who may be within the limits of this State.

And have also adopted the following resolution :

A resolution that the General Assembly adjourn *sine die* on Tuesday, the 6th of October next, at 12 o'clock, M.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President: The Committee on Enrollment report as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following resolution, to-wit :

A resolution appointing a joint committee of three from the Senate and five from the House of Representatives to confer with his Excellency the Governor in relation to paying off the members and officers of this General Assembly.

E. I. HIGBEE,
Chairman.

Mr. Harris, from the committee appointed from the Senate to act with a similar committee from the House to wait on his Excellency the Governor to ascertain what measure could be adopted to procure funds for the payment of the General Assembly, reports that they have performed that duty and are informed by the Governor that he has made arrangements to pay off the members and officers up to the 6th of October, and, if desirable, one hundred and fifty dollars can be advanced to each member and officer on to-morrow.

JOHN HARRIS,
Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, the Clerk thereof :

Mr. President: The House of Representatives have adopted the following resolutions :

A resolution authorizing and requesting his Excellency the Governor to take possession of, and receipt for, all bonds or currency belonging to the State, now in the hands of agents heretofore authorized to have and to hold said bonds.

Also, a resolution ratifying the sale of the court house and jail lots of the county of Bibb, and authorizing the purchase of new sites for the same.

Also a resolution authorizing Madison Bell, Comptroller General, to transfer certain entries to the books kept by Col. John T. Burns, and to employ a suitable clerk to execute said work.

On motion, the Senate took up and concurred in the following resolution of the House of Representatives, to-wit :

A resolution authorizing and requesting his Excellency the Governor to take possession of, and receipt for, all bonds or currency belonging to the State, now in the hands of agents heretofore authorized to have and hold said bonds.

The Senate took up, as the report of the Committee of the Whole, the bill to amend the charter of the Savannah, Skidaway and Seaboard Railroad Company.

On motion of Mr. Lester, the sixth section was stricken out.

The report of the committee was agreed to, the bill, as amended, was read the third time and passed.

On motion, the rules were suspended, and the Senate took up and concurred in the following resolution of the House, to-wit:

"A resolution ratifying the sale of the court house and jail lots in the county of Bibb, and authorizing the purchase of new sites for the same.

The Senate took up, as the report of the Committee of the Whole, the bill for the relief of bank officers.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill to secure efficiency in the records of ordinaries and other officers of this State.

Mr. Brock moved to amend, by striking out the words, "eight o'clock," and inserting the words, "ten o'clock," in lieu thereof.

Mr. Hinton proposed to add the following: "*Provided*, no fine shall be imposed, where the parties are unavoidably absent."

On motion of Mr. Wooten, the bill was referred to the Judiciary Committee.

The following message was received from the House of Representatives, through Mr. Hardin, the Clerk thereof.

Mr. President: The House of Representatives have passed the following bills to-wit:

A bill to make valid the tax levied by the Inferior Court, of Echols county, for educational and county purposes, for the year 1868.

A bill to authorize John Overstreet, of the county of Appling, to establish a fishery on the Tatnall side of the Altamaha river, at a sand bar opposite the place known as Carter's Bite, in Appling county, and to draw a seine in the river, etc.

A bill to provide for registering the voters of Atlanta.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report:

Mr. President: The Committee on Enrollment report as duly enrolled, and ready for the signatures of the President of the Senate, and Speaker of the House of Representatives, the following act, to-wit:

An act to loan the credit of the State to the South Georgia and Florida Railroad, and for other purposes.

E. I. HIGBEE.

Chairman.

Mr. Nunnally moved that when the Senate adjourns, it shall stand adjourned until to-morrow morning at 9 o'clock, which was agreed to.

On motion, leave of absence was granted the Messenger of the Senate, for to-morrow.

The Senate took up the bill to define the duties and liabilities of foreign insurance companies and their agent, doing business in this State.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to authorize executors and administrators, residents of any other State, of the United States, to sell and convey real estate of their testators, or intestates, recovered by suits at law, in this State, by said executors or administrators, under the same rules and regulations as are now prescribed for executors and administrators, residents of this State.

The Judiciary Committee, to whom this bill was referred, reported the same back with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended and the following bills were introduced, and severally read the first time, to-wit:

By Mr. Fain, a bill explanatory of, and to carry into effect, section 12, division 2nd, and article the 5th, of the Constitution of the State of Georgia.

By Mr. Adkins, a bill to alter section 4330 of Irwin's Code.

On motion, the rules were suspended, and Mr. Speer offered the following resolution, which was adopted, to-wit:

Resolution, That the treasurer to authorized to advance to each Senator and officer of the Senate, one hundred and fifty dollars, upon the Senators and officers presenting a certificate from the Secretary to the Treasurer.

The Senate then took up the bill to incorporate the Ocean Bank of Brunswick.

The Committee on Banks, to whom this bill was referred, reported in favor of its passage, with certain amendments.

On motion, the report of the committee was agreed to, and pending further action, the hour having arrived, the President announced the Senate adjourned until to-morrow morning at nine o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

SATURDAY, September 26, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Hinton, Honorable Senator from the 24th District.

The roll was called, and the Journal of the previous day read and approved.

Mr. Griffin, of the 21st District, gave notice that he would move to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to organize a district court.

On motion of Mr. Wooten, the rules were suspended, and the Senate took up, as the report of the Committee of the Whole, the bill of the House, to incorporate the Georgia Mutual Life Insurance Company.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and Mr. Wooten introduced the following bill, which was read the first time, to-wit:

A bill to change the time for holding the Superior Courts in the Coweta Circuit.

The Senate took up, as the unfinished business of yesterday, the House bill to incorporate the Ocean Bank of Brunswick.

After debate, Mr. Holcombe called for the previous question, which being sustained, the main question was ordered upon the passage of the bill. A constitutional majority being required to pass the same, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Anderson,	Hinton,	Smith, 36th Dist.,
Burns,	Hungerford,	Speer,
Colman,	Jordan,	Wellborn,
Collier,	Lester,	Welch,
Griffin, 6th Dist.,	Moore,	Wooten.
Gignilliat,	Nunnally,	

Those who voted in the negative are, Messrs:

Corbitt,	Holcombe,	Richardson,
Dickey,	Jones,	Sherman,
Griffin, 21st Dist.	McCutchen,	Stringer,
Harris,	McWhorter,	Winn.
Higbee,		

Yeas 17 ; nays 13. So the bill was lost.

On motion of Mr. Nunnally, the rules were suspended, and the Senate took up the bill to provide for the setting apart a homestead of realty, etc., to which the House had proposed certain amendments.

After debate, Mr. Winn moved that the Senate disagree to the amendments as proposed by the House, which motion prevailed.

On motion, the Secretary was directed to transmit the action of the Senate forthwith to the House.

The Senate took up the bill to incorporate the Georgia Steam Navigation Company, for the transportation of passengers and freight from Bellville to Darien, Brunswick, and Savannah, and all other points, and to invest said company with the powers of insurance.

The Committee on Internal Improvements, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to alter and amend the 4330th section of Irwin's Code, changing the penalty of horse stealing from death to imprisonment in the penitentiary.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the Committee was agreed to, the bill was read the third time, and passed.

The Senate took up the bill to alter and amend the 4322d section of Irwin's Code, changing the penalty of burglary in the night from death to penitentiary offence.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, and upon the passage of the bill, on motion of Mr. Holcombe, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adkins,	Higbee,	Sherman,
Brock,	Hinton,	Smith, 7th Dist.,
Colman,	Hungertford,	Smith, 36th Dist.,
Corbitt,	Jones,	Speer,
Fain,	Jordan,	Wellborn,
Griffin, 6th Dist.,	Lester,	Welch,
Harris,	Moore,	Wooten.

Those voting in the negative, are Messrs:

Anderson,	Collier,	Griffin, 21st Dist.,
Burns,	Dickey,	Giguilliat,

Hicks,
Holcombe,
McCutchen,

McWhorter,
Nunnally,

Stringer,
Winn.

Yeas 21; nays 13. So the bill was passed.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives have passed the following Senate bill, with amendments, to-wit:

A bill to provide for the payment of costs in insolvent criminal cases, in certain counties therein mentioned.

Also, have concurred in the Senate amendment to a bill to amend the charter of the Savannah, Skidaway and Seaboard Railroad, and for other purposes.

The following message was received from his Excellency the Governor, by Mr. deGraffenreid, his Secretary, to-wit:

Mr. President: The Governor has signed the following act, to-wit:

"An act to loan the credit of the State to the South Georgia and Florida Railroad Company, and for other purposes."

On motion of Mr. Wooten, the Senate took up the message of the House on the bill to provide for the payment of costs in insolvent criminal cases, in certain counties therein mentioned, to which the House proposed an amendment.

On motion of Mr. Wooten, the Senate concurred in the amendment of the House.

On motion of Mr. Nunnally, leave of absence was granted to Senator Bruton.

Mr. Hinton, from the Special Committee to whom was referred the bill to organize a District Court, submitted the following, as a substitute for the original bill, as perfected on yesterday:

A BILL

To be entitled an Act to organize a Criminal Court for each County of this State.

SECTION 1. *Be it enacted by the Senate and House of Representatives, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall and may be lawful for the Justice of the Peace and the Notary Public of the several counties of this State, living in the Militia District in which the county town is situated, or in any Militia District having an incorporate town within its limits, to try all offences committed against the laws of this State,

except such offences as are punishable by death or imprisonment in this State.

SECTION 2. *Be it further enacted*, That said officers, mentioned in the first section of this bill, shall hear and determine each case (not civil) that may come before them immediately, unless good cause be shown, authorizing a continuance, and in no event shall a continuance be allowed for any time longer than is necessary, with proper diligence, to procure the attendance of the witnesses for and against the prisoner. *Provided*, That nothing herein contained, shall be so construed as to force the prisoner to trial, if, from providential cause, he is unprepared.

SECTION 3. *Be it further enacted*, That offences shall be tried before said court upon written accusation founded upon affidavit, said affidavit shall distinctly set forth the nature of the offence, the time committed, where committed, and by whom committed, the accusation shall follow the affidavit, and shall be signed by the accuser.

SECTION 4. *Be it further enacted*, There shall be no jury trial before said court, unless demanded by the accused, in which event the jury shall consist of seven men, competent to serve as jurors in this State, and when demanded by the accused, the said court shall require their bailiff to summon a jury of twelve men, and when said jury shall have been summoned and assembled, the accused and the accuser shall proceed to strike, as provided heretofore in cases of appeal, until the number shall have been reduced to seven, and when the striking shall have been completed, the court shall order the parties to proceed with the trial.

SECTION 5. *Be it further enacted*, That said court shall receive two dollars for each case tried, which sum shall be paid by the accuser when convicted, and it is hereby made the duty of the officer arresting the party, and he is hereby required to seize a sufficiency of the property of the accused to pay the cost, and shall, if personal property, retain the same in his possession, until the accused shall have been acquitted or convicted. And in the event the accused is convicted, and fails or refuses to pay the cost, it shall be the duty of the officer to advertise the same for ten days, at the court house door, if personal, if real property, in the public gazette in which the county sales are advertised, for the space of thirty days, and shall, on the day specified in said advertisement, sell the said property to the highest bidder, and the money arising from the sale of the same shall be applied to the payment of the cost. *Provided*, that in every case where it shall clearly appear to the court that the accuser

acted maliciously, then, and in that event, the accuser shall pay the cost.

SECTION 6. *Be it further enacted*, That it shall be the privilege of the defendant to sue out a writ of *certiorari* from the decision of the court, under such rules and regulations as is now prescribed for suing out *certioraries* in civil cases. *Provided*, that no writ of *certiorari* shall be granted, unless the accused shall first have filed his affidavit, setting forth that he is advised and believes that he has not had a fair trial, and that he has been wrongfully and illegally convicted.

SECTION 7 *Be it further enacted*, That it shall be the duty of the court to have endorsed upon the written accusation, signed by the accuser, the following words: Indictment by grand jury waived, and said endorsement shall be signed by the accused, or by his counsel, and in the event the accused shall refuse to sign the waiver, it shall be the duty of the court to proceed to hear evidence against the accused, and if probable guilt is made to appear, it shall be the duty of the court to commit the accused, as heretofore practiced by courts in this State.

SECTION 8. *Be it further enacted*, That whenever any case shall be brought before this court for the purpose of trial, and, after the evidence has been heard, it shall appear to the court that the accused is guilty of an offence punishable either by death, or imprisonment in the penitentiary, it shall be the duty of the court to bind the party over to the next term of the Superior Court, to be held in the county in which the crime was committed, to answer the charge preferred, and on failure of the accused to give bail required by the court, shall be committed to jail.

SECTION 9. *Be it further enacted*, That either the justice of the peace, or the notary public, when it is not convenient for both to sit at the same time, may hear and determine the case or cases submitted, and the decision rendered by the justice or notary alone, shall have all the legal effect as if rendered by the joint act of both, and should the justice and the notary fail to agree, it shall be the privilege of the accused to say which one of the officers presiding shall pronounce the decision, and the decision so pronounced shall be, and the same is hereby made the decision of the court.

SECTION 10. *Be it further enacted*, That the county of Chatham is not embraced in the provision of this bill.

SECTION 11. *Be it further enacted*, That in the counties of McIntosh and Liberty, no one shall be eligible to a position on this court who is not an attorney at law.

SECTION 12. Repeals all conflicting laws.

On motion of Mr. Nunnally, the bill was taken up.

Mr. Adkins then offered the following as a substitute for the whole, to-wit :

A BILL

To be entitled an act to establish courts in the several militia districts of this State for the trial of all persons charged with crimes committed in this State not punishable with death or imprisonment in the penitentiary, and to be tried in the district where committed.

SECTION 1. *Be it enacted by the Senate and House of Representatives, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall and may be lawful for the justice and notary public of and for each militia district in this State, and they are hereby constituted a court in and for each aforesaid district, for the trial of persons charged as aforesaid, to try all persons charged with crimes not punishable with death or imprisonment and labor in the penitentiary.

SECTION 2. *Be it further enacted,* That the court shall hear and determine each case (not civil) that may come before it, so soon as the testimony, witnesses, parties and jury can be assembled.

SECTION 3. *Be it further enacted,* That offences shall be tried before said court on a written accusation founded on affidavit. Said affidavit shall distinctly set forth the nature of the offence, when committed, as near as may be, and the accusation shall follow the affidavit and be signed by the accuser.

SECTION 4. *Be it further enacted,* There shall be no jury trial before said court unless demanded by the accused, who shall in all cases be informed of his right by the court to demand such jury trial, and in such case the court shall proceed to draw and summon said jury ; which shall consist of seven men regularly qualified to serve.

SECTION 5. *Be it further enacted,* That the courts shall receive two dollars for each case tried ; which sum shall be paid by the party cast in his or her suit, if able, and otherwise by the county ; and in no case shall the accused be liable unless convicted.

SECTION 6. *Be it further euacted,* That it shall be the privilege of the defendant to sue out a writ of *certiorari* from the decision of the said court, under such rules and regulations as are now prescribed for suing out *certioraris* in civil cases;

provided, no writ of *certiorari* shall be granted unless the accused shall have filed his affidavit setting forth that he is advised and believes that he has not had a fair and impartial trial, and that he has been wrongfully and illegally convicted.

SECTION 7 *Be it further enacted*, That when the accused shall have demanded a trial by jury, and shall have been convicted by the same, it shall be the duty of the court to grant a new trial, if desired by the accused, and the court is of the opinion the finding of the jury is strongly against the weight of evidence; and in that case the court shall immediately draw and summon a new jury and the case shall be re-heard so soon as convenient to the parties concerned, to be judged of by the court; and the last decision of the jury shall be final and conclusive, unless the finding is reversed and corrected under a writ of *certiorari*.

SECTION 8. *Be it further enacted*, These courts are designed to take the place of the district courts as required by the Constitution of this State, and that said courts are to be considered as always in session, and either one is competent to hold said court, if from sickness or absence of one it is not practicable for both to convene.

SECTION 9. Said court may be held at the usual place of holding courts for the district, or at either of the residences of the justice or notary public, or at any place within the district said court may elect.

SECTION 10. Repeals conflicting laws.

After debate, Mr. Griffin, of the 21st District, moved that the bill as reported by the committee be indefinitely postponed; which was not agreed to.

The question was then ordered upon the adoption of the substitute of Mr. Adkins; which was lost.

Mr. Smith, of the 36th District, offered the following as an amendment, to-wit:

Strike out the words "living in the county towns and incorporations," and insert in lieu thereof the words, "militia districts."

The question was put upon the amendment of Mr. Smith, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs.

Adkins,	Harris,	Sherman,
Corbitt,	McArthur,	Smith, 36th Dist.
Dickey,	McWhorter,	Stringer,
Griffin, 6th District,	Moore,	Wooten.
Griffin, 21st Dist.,	Richardson,	

Those voting in the negative, are Messrs :

Anderson,	Hicks,	McCutchen,
Brock,	Higbee,	Nunnally,
Burns,	Hinton,	Smith, 7th Dist.,
Colman,	Hungerford,	Speer,
Collier,	Jones,	Welch,
Fain,	Jordan,	Winn.
Gignilliat,	Lester,	

Yeas 14 ; nays 20. So the amendment was lost.

Mr. Brock moved to fill the blank in fifth section with the words, "two dollars for each case tried."

Mr. Burns moved to amend by inserting the words "three dollars."

The question was put upon the motion of Mr. Burns ; which was not agreed to.

The amendment as proposed by Mr. Brock was adopted.

The question recurred upon the passage of the bill reported by the committee, as amended. Whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adkins,	Gignilliat,	McCutchen,
Anderson,	Hicks,	Moore,
Brock,	Higbee,	Nunnally,
Burns,	Hinton,	Richardson,
Collier,	Hungerford,	Smith, 7th District,
Dickey,	Jones,	Speer,
Fain,	Jordan,	Welch,
Griffin, 6th Dist.	Lester,	Winn.

Those voting in the negative, are Messrs :

Colman,	McArthur,	Stringer,
Corbitt,	McWhorter,	Wellborn,
Griffin, 21st Dist.,	Sherman,	Wooten.
Harris,	Smith, 36th Dist.,	

Yeas 24 ; nays 11. So the bill, as amended, was passed.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk :

Mr. President : The House of Representatives have passed over the Governor's veto, by a constitutional majority of ayes 77, nays 37, the following bill, to-wit :

A bill to consolidate and amend the several acts incorporating the town of Lumpkin, county of Stewart, and to grant certain privileges to the same.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President : The Committee on Enrollment report as

duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following act, to wit:

An act to amend the charter of the Savannah, Skidaway and Seaboard Railroad, and for other purposes.

E. I. HIGBEE,
Chairman.

Mr. Candler, from the Committee on the Judiciary, made the following report:

Mr. President: The Judiciary Committee, to whom was referred the House bill to prohibit the sale of spirituous liquors on days of election, have had the same under consideration, and recommend the passage of a substitute in lieu of the same.

Also, a bill to provide for the election of a board of commissioners for the management, control and government of the Western and Atlantic Railroad, to prescribe the qualifications of the Superintendent of the Western and Atlantic Railroad, and for other purposes, which they recommend do pass.

M. A. CANDLER,
Chairman.

Mr. Higbee, Chairman of the Committee on Privileges and Elections, made the following report:

Mr. President: The Committee on Privileges and Elections, to whom has been referred an act to be entitled an act to establish the mode of elections and election precincts, have had the same under consideration, and direct me to refer it back without recommendation.

E. I. HIGBEE,
Chairman.

The Senate took up the bill to incorporate the Peoples' Mutual Life Insurance Company, of Georgia.

On motion of Mr. Harris, the bill was laid on the table for the present.

On motion, the rules were suspended, and Mr. Holcombe offered the following resolution, which was adopted, to-wit:

Resolved, That after this day, no motion for a suspension of the rules, shall be entertained by the Senate, when it is for the purpose of taking up any private or local bill, but all such shall be taken up in the order in which they are numbered.

The Senate took up the bill to incorporate the Etowah Manufacturing and Mining Company, and to confer certain powers and privileges.

The Committee on Internal Improvements, to whom this bill was referred, reported in favor of its passage, with an amendment.

The report of the committee was agreed to, the bill, as amended, was read the third time and passed.

Mr. Speer moved that when the Senate adjourns, it shall stand adjourned until Monday morning at 9 o'clock, which was agreed to.

On motion of Mr. McCutchen, the rules were suspended, and the Senate took up the House bill to exclude certain lands from the corporate limits of the town of Ringgold.

This bill was read the second time and referred to the Committee of the Whole.

On motion, the rules were suspended, and the Senate took up the bill of the House to appropriate a fund for the burial of the Confederate dead, who may be within the limits of this State.

This bill was read the first time.

The Senate took up, as the report of the Committee of the Whole, the bill to incorporate the town of Grantville, in the county of Coweta, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and the Senate took up the House bill to make valid the tax levied by the Inferior Court, of Echols county, for educational and county purposes.

This bill was read the first time.

The Senate took up the bill to amend section 3604 of the Revised Code of Georgia.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill to prescribe the mode of appointing Notaries Public, and to render valid their acts.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to prescribe the time of holding elections for members of Congress, in the year 1868, and for thence afterwards.

On motion of Mr. Nunnally, the bill was laid on the table.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President: The Committee on Enrollment report as duly enrolled and ready for the signatures of the President of the Senate, and Speaker of the House of Representatives, the following act, to-wit:

An act to provide for the payment of costs in insolvent cases in certain counties therein mentioned.

E. I. HIGBEE,
Chairman.

The Senate took up the bill declaratory of the disability of freedmen, to hold office in this State, and for other purposes.

On motion of Mr. Winn, the bill was made the special order for Monday morning at 10 o'clock.

The Senate took up, as the report of the Committee of the Whole, the bill for the relief of the Atlanta and West Point, and the Macon and Western Railroads.

On motion of Mr. Holcombe, the bill was laid on the table.

The Senate then took up, as the report of the Committee of the Whole, the House bill for the relief of the Atlanta and West Point, and the Macon and Western Railroads.

The report of the committee was agreed to, the bill was read the third time and passed.

The President then announced the Senate adjourned until Monday morning at 9 o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

MONDAY, September 28th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Smith, Honorable Senator from the 7th District.

The roll was called, and the Journal of Saturday read, and approved.

Mr. Gignilliat, in conformity with previous notice, moved to reconsider so much of the Journal of Saturday as relates to the action of the Senate on the bill to incorporate the Ocean Bank of Brunswick.

After debate, Mr. Holcombe called for the previous question, which being sustained, the main question was ordered upon the motion to reconsider, which was agreed to.

Mr. Griffin, of the 21st District, in accordance with previous notice, moved to reconsider so much of the Journal of Saturday as relates to the action of the Senate on the bill as reported by the special Committee, to organize a criminal court for each county of this State.

After debate, the question was put upon the motion to reconsider, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adkins,	Griffin, 21st Dist.,	McWhorter,
Bowers,	Gignilliat,	Moore,
Burns,	Harris,	Nesbitt,
Corbitt,	Holcombe,	Richardson,
Dickey,	McArthur,	Stringer,
Griffin, 6th Dist.,	McCutchen,	Mr. President.

Those voting in the negative, are Messrs :

Brock,	Higbee,	Lester,
Candler,	Hinton,	Smith, 7th Dist.
Colman,	Hungerford,	Wellborn,
Collier,	Jones,	Welch,
Fain,	Jordan,	Winn.
Graham,		

Yeas, 18; nays, 17 So the motion to reconsider prevailed.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President : The Committee on Enrollment report as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following resolution, to-wit :

A resolution authorizing R. H. Fleming, deceased, Clerk of the House of Representatives, to receive the per diem, from the date his services commenced.

E. I. HIGBEE,
Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President : The House of Representatives have passed the following bill, to wit :

A bill to change the line between the counties of Marion and Taylor, so as to include the residence of Seaborn Montgomery.

A bill to fix the venue of suits against the Superintendent of the Western and Atlantic Railroad, and for other purposes.

And have adopted the following resolutions :

A resolution ratifying the sale of the court house and jail lots of the county of Bibb, and authorizing the purchase of new sites for the same, and Senate amendment concurred in.

A resolution appointing an additional standing Committee on Retrenchment.

On motion, Senator Anderson was granted leave of absence for a few days.

Mr. Harris moved to suspend the regular order for the purpose of taking up the House bill, to provide for the election of a board of commissioners for the management, control and direction of the Western and Atlantic Railroad, etc., which was not agreed to.

The Senate took up the special order for the day, the same being the bill declaratory of the disability of freedmen to hold office in this State.

On motion of Mr. Candler, the bill was laid on the table for the present.

The Senate took up the bill to require plaintiffs in and owners of judgments or decrees rendered in any of the courts of this State, to be enforced out of the county where rendered against property which has passed through the possession of the defendants to be recorded in the county in which they are to be enforced, and for other purposes.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the House bill, to incorporate the Ocean Bank of Brunswick.

Mr. Burns moved that all that part of section nine, relating to the issuing of bank notes, be stricken out, which was agreed to.

Mr. Burns moved that the bill be further amended so as to make section eleven conform to section nine, as stricken out, which was agreed to.

Mr. Winn proposed the following amendment, to-wit :

“The stockholders to be liable as private bankers would be, for the payment of the debts of said bank.”

After debate, the question was put upon the amendment of Mr. Winn, which was not agreed to.

The question recurred upon the passage of the bill as amended. A constitutional majority being required to pass the same, the yeas and nays were required to be recorded.

Those voting in the affirmative are Messrs :

Adkins,	Fain,	Moore,
Bowers,	Graham,	Nesbitt,
Brock,	Griffin, 6th Dist.,	Richardson,
Burns,	Gignilliat,	Smith, 7th Dist.,
Candler,	Hinton,	Smith, 36th Dist.,
Colman,	Hungerford,	Stringer,
Collier,	Jones,	Wellborn.
Corbitt,	Jordan,	Welch.
Dickey,	Lester,	

Those voting in the negative, are Messrs :

Harris,	McCutchen,	Sherman,
Holcombe,	McWhorter,	Winn.

Yeas, 26 ; nays, 6. So the bill as amended was passed.

On motion of Mr. Gignilliat, the Secretary was directed to transmit the bill forthwith, to the House of Representatives.

The Senate took up as the report of the Committee of the Whole, the bill to incorporate the People's Life Insurance Company of Georgia.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to incorporate the Van Dyke Hydraulic Hose Mining Company.

Mr. Burns moved to amend the bill by striking out the words "District Court" wherever the same may appear, and insert the words "Superior Courts" in lieu thereof, which was agreed to.

The bill as amended was passed.

On motion, the Secretary was directed to transmit the bill forthwith, to the House of Representatives.

The Senate took up as the report of the Committee of the Whole, the bill to amend section 4374 of Irwin's Code.

On motion of Mr. Holcombe, the bill was indefinitely postponed.

The Senate took as the report of the Committee of the Whole, the bill to provide for the making of jury lists, and to regulate the drawing of jurors.

On motion, the bill was indefinitely postponed.

The Senate took up as the report of the Committee of the Whole, the bill to alter and amend the 1029th section of the Code, so as to allow the State Printer to enter immediately upon his duties.

On motion, the bill was indefinitely postponed.

The Senate took up the bill to aid and encourage the enforcement of the laws.

The Judiciary Committee to whom this bill was referred, reported in favor of its passage. Upon disagreeing to the report of the Committee, the yeas and nays were required to be recorded.

Those voting in the negative, are Messrs :

Adkins,	Higbee,	Smith, 36th Dist.
Brock,	Hungerford,	Speer.
Colman,	Jones,	Stringer,
Dickey,	Richardson,	Welch.
Harris,	Sherman,	

Those voting in the negative, are Messrs :

Burns,	Gignilliat,	McCutchen,
Candler,	Hicks,	McWhorter,
Collier,	Hinton,	Moore,
Corbitt,	Holcombe,	Nesbitt,
Fain,	Jordan,	Wellborn,
Graham,	Lester,	Winn.
Griffin, 6th Dist.,	McArthur,	

Yeas, 14 ; nays, 20. So the bill was lost.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President: The Committee on Enrollment, report as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following acts, to-wit :

An act for the relief of the Atlanta and West Pont, and the Macon and Western Railroads.

An act to incorporate the Georgia Mutual Life Insurance Company.

E. I. HIGBEE,
Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk :

Mr. President : The House of Representatives have passed the following bills, to-wit :

A bill for the relief of Isaiah Williams.

A bill to change the residence of John C. Shipp, of the county of Cobb to the county of Paulding.

A bill to authorize the survey of lands in the 6th District of Habersham county, and for other purposes.

A bill to prevent hunting on the Sabbath day in this State, with dogs, fire arms or other implements, or the discharge of fire arms, except in defense of person or property, and to prescribe penalties for the same.

A bill to repeal an act making the Honey Gall Landing, on Turtle river in Glynn county, a public landing.

A bill to authorize an advance of payment to J. W. Burke, State Printer, for the present session of this General Assembly

Also, a resolution to authorize B. A. White to make certain county and district maps.

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit:

Mr. President: The Governor has signed the following act, to-wit:

“An act to provide for the payment of costs in insolvent criminal cases in certain counties therein mentioned.”

The following message was received from the House of Representatives through Mr. Hardin, their clerk:

Mr. President: The House of Representatives have passed the following bills:

A bill to be entitled an act to raise funds by taxation, to build a common jail in the county of Bibb, and for other purposes.

A bill to be entitled an act to declare what length of time shall give road commissioners jurisdiction over road hands.

A bill to be entitled an act to amend the 4813th section of the Revised Code of Georgia, to extend the criminal jurisdiction of the City Court of Savannah and for other purposes.

A bill to be entitled an act forbidding the formation and drilling of military companies, and to prescribe a punishment for the same.

A bill to be entitled an act exempting the members of the Merchants and Mechanics Fire Company of Milledgeville, from road, jury and militia duty.

A bill to repeal an act prohibiting the sale of spirituous liquors in the town of Fayetteville.

A bill to be entitled an act for the relief of B. F. Henry, of the county of Bibb; J. N. Colley, of the county of Stewart, and Mrs. Elizabeth J. McCormick, of the county of Telfair.

The Senate took up the bill to repeal an act to educate the indigent maimed soldiers of Georgia.

The Committee on Education, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill for the relief of Hamlin Hudgens and ———, of DeKalb county, securities on the

bond of John Hudgens, indicted at the March term, 1865, of the Superior Court of Gwinnett county, Georgia, for larceny.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

On motion the report of the committee was disagreed to, and upon the passage of the bill the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs.

Bowers,	Griffin, 21st Dist.,	McCutchen,
Brock,	Gignilliat,	Moore,
Burns,	Hicks,	Richardson,
Candler,	Holcombe,	Smith, 36th Dist.,
Collier,	Jones,	Stringer,
Dickey,	Jordan,	Wellborn,
Fain,	Lester,	Winn.
Graham,	McArthur,	

Those voting in the negative are, Messrs.

Colman,	Higbee,	Sherman,
Corbitt,	Hungerford,	Speer,
Harris,	McWhorter,	Welch.

Yeas, 23 ; nays, 9. So the bill was passed.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk :

Mr. President: The House of Representatives have passed the following bills, to-wit :

A bill to increase the capital stock of the Wilcoxon Manufacturing Company to two hundred thousand dollars.

A bill to amend an act entitled an act to educate the indigent and maimed soldiers of the State of Georgia.

Also, the following Senate bill :

A bill to amend an act to incorporate the Dawson Manufacturing Company.

A bill to raise revenue, appropriate money, etc., for the latter half of the political year 1868.

A bill to authorize Albert H. Cox, of Troup county, to plead and practice law.

The Senate took up, as the report of the Committee of the Whole, the bill to incorporate the Cotton States Life Insurance Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to fix the salaries of the Judges of the District Court and District Attorneys.

On motion of Mr. Holcombe, the bill was laid on the table for the present.

The Senate took up the bill for the relief of G. L. Roberts and Rebecca Mathis, of the county of Union, from the payment of a certain bond therein specified.

The Committee on Petitions, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, and upon the passage of the bill, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Bowers,	Griffin, 6th Dist.	Moore,
Candler,	Griffin, 21st Dist.,	Nesbitt,
Collier,	Gignilliat,	Richardson,
Corbitt,	Hinton	Smith, 36th Dist.,
Dickey,	Jones,	Stringer,
Fain,	Lester,	Wellborn.
Graham,	McWhorter,	

Those voting in the negative, are Messrs :

Colman,	Higbee,	Sherman,
Harris,	Hungerford,	Speer,
Hicks,	McCutchen,	Winn.

Yeas 20 ; nays 9. So the bill was passed.

The following message was received from the House of Representatives, through Mr. Hardin, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bill of the Senate, to-wit :

A bill to be entitled an act to incorporate the Schofield Rolling Mill Company.

The Senate took up the bill to change the line between the counties of Union and Towns.

The Committee on New Counties and County Lines, to whom this bill was referred, reported the same back with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill to prevent the digging of ginseng in this State, before the first day of September in each and every year, and to provide a penalty therefor.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill to protect the people of Georgia against im-

position of unskillful practitioners in the practice of medicine.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to compel common carriers to provide equal accommodation for passengers without any discrimination, and for other purposes.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to allow Bird D. Mobley, of the county of Appling, to practice medicine in this State, and to charge for the same.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to require the Western and Atlantic Railroad to take up the change bills put in circulation, by the Superintendent thereof, under the act assented to on the 17th day of December, 1861, and for other purposes.

The Finance Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up, as the report of the Committee of the Whole, the bill to incorporate the Warsaw Mining Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to incorporate the Chattahoochee Manufacturing Company, and for other purposes.

The Committee on Agriculture and Manufactures, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion of Mr. Holcombe, the Secretary was directed to transmit the two foregoing bills forthwith to the House of Representatives.

The Senate took up the bill to repeal the last clause of section 584 of the Revised Code of Georgia.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to provide that in all cases of

garnishment the claims of the parties moving in said process shall have priority

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up, as the report of the Committee of the Whole, the bill to permit A. K. Whitfield, of the county of Decatur, to peddle in this State free of license.

On motion, the bill was laid on the table for the present.

The following message was received from the House of Representatives through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives have receded from their amendment to the following Senate bill, to-wit:

A bill to provide for setting apart a homestead of realty, etc.

The Senate took up the bill for the relief of William F Attaway, as security.

The Committee on Petitions, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to change the names of William Bess and James Thomas Bess, of Pike county, to William Singleton and James Thomas Singleton, and to make them the lawful heirs of William W Singleton, lately deceased, of Pike county.

On motion, the bill was indefinitely postponed.

The Senate took up as the report of the Committee of the Whole, the bill to grant certain exemptions to Stonewall Fire Engine Company, Number One.

The report of the committee was agreed to, and the bill was passed, with the following amendment, to-wit:

“Provided, That there shall not be more than fifty members exempt from jury duty.”

The Senate took up the bill to make more equal the judicial circuits of this State.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have adopted the following resolution, to-wit:

A resolution that Judges of the Superior Courts, ex-Judge of the Supreme Court, Reporter and Clerk of the same, and Solicitors General shall continue in office until their successors shall be elected and qualified, and the Governor be authorized to draw his warrant to pay the same.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk :

Mr. President: The House of Representatives have passed the following bill, to-wit :

A bill to amend an act entitled an act to educate the indigent maimed soldiers of Georgia.

The Senate took up the bill to make every citizen of Georgia incapable of contracting as endorsers or as security, except upon the bonds of public officers, guardians, administrators and other trustees, and upon injunction bonds, forthcoming bonds, bonds to dissolve garnishment, attachment bonds or other bonds required by law in judicial proceedings.

The Judiciary Committee, to whom this bill was referred reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to alter and amend section 2519 of the Revised Code of Georgia in reference to the sale of lands by executors and administrators.

The Judiciary Committee, to whom this bill was referred reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to incorporate the White Manufacturing Company, of Elbert county.

The Committee on Agriculture and Manufactures, to whom this bill was referred, reported in favor of its passage, with amendments.

The report of the committee was agreed to, the bill, as amended, was read the third time and passed.

The Senate took up the bill to reduce the bonds of the sheriffs of Appling and Wayne counties.

The Judiciary Committee, to whom this bill was referred reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, the bill to alter and change the line between the counties of DeKalb and Henry so as to include in the county of Henry the residence of John Callaway.

The report of the committee was agreed to, and the bill was passed.

The Senate took up as the report of the Committee of the Whole, the bill making change in tax digest.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to amend and change the several acts incorporating the town of Thomasville.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

On motion, the report of the committee was disagreed to, the bill was read the third time and passed.

The hour having arrived, the Senate adjourned until three o'clock.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment and was called to order by the President.

On motion of Mr. Harris, the rules were suspended, and the Senate took up the following bills, which were severally read the second time and referred to the Committee on the Judiciary, to-wit:

A bill explanatory of, and to carry into effect, section 12, division 2d and article 5th of the Constitution of the State of Georgia.

A bill to alter section 4330 of Irwin's Code.

A bill to change the time for holding the Superior Courts in the Coweta Circuit.

On motion of Mr. Hinton, the Senate took up and concurred in the following resolution of the House, to-wit:

A resolution authorizing R. H. Fleming, deceased, Clerk of the House, to receive the per diem from the date his services commenced.

The Senate took up the bill to establish the mode of elections and election precincts.

On motion the bill was laid on the table.

The Senate took up the bill to authorize the courts to render judgments in all civil cases, founded on contract, at the first term, unless an issuable defence is on oath.

On motion of Mr. Harris, the bill was indefinitely postponed.

The Senate took up as the report of the Committee of the Whole, the bill to incorporate the Spalding county Mutual Life Assurance Society of Georgia.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and the Senate took up the House bill to raise revenue and to appropriate money, etc.

This bill was read the first time.

The rules were further suspended, and the Senate took up the House bill to appropriate a fund for the burial of the Confederate dead who may be within the limits of this State.

This bill was read the second time and referred to the Committee of the Whole.

On motion, Senator Hicks was granted leave of absence until the 6th of October.

On motion, the rules were suspended and Mr. Lester offered the following resolution, to-wit:

Resolved, That the Senate have two night sessions during this week, to-wit: on this, Monday, night, and Thursday night, for the purpose of reading bills first and second times, the sessions to be from 8 to 10 o'clock each night.

Mr. Nunnally moved as a substitute that the Senate meet at 8, A. M., adjourn at 1, P. M., meet at 2, P. M., and adjourn at 6, P. M.

The question was put upon the substitute of Mr. Nunnally; which was not agreed to.

The question then recurred upon the adoption of the resolution; which was lost.

The Senate took up the bill to define the duties of the Attorney General of this State, to provide a salary for the same, and to require him to reside and hold his office at the seat of Government.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

Mr. McWhorter moved, that when the Senate adjourns, it meet again at eight o'clock this P. M., which was agreed to.

The Senate took up the bill to authorize confession of judgment in certain cases, and to regulate the same.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

On motion, the rules were suspended, and Mr. Nunnally introduced the following bill, which was read the first time, to-wit:

A bill to provide for the service of summons, and for appeals in justice courts, and for other purposes.

The Senate took up the bill to regulate judicial sales of real estate.

On motion of Mr. Smith, of the 36th District, the bill was laid on the table for the present.

The Senate then adjourned until 8 o'clock, P. M.

EIGHT O'CLOCK, P. M.

The Senate met pursuant to adjournment, and was called to order by the President.

The following bills of the House of Representatives were taken up, and severally read the first time, to-wit:

A bill to point out the mode of paying the fees of the Solicitor General of the Eastern Judicial Circuit of Georgia, and for other purposes therein enumerated.

A bill to incorporate the Manufacturing Marine Railway Commercial and Dry Dock Company of Brunswick.

A bill to repeal an act prohibiting the sale of spirituous liquors in the town of Fayetteville, approved December 3d, 1859.

A bill to authorize Albert H. Cox, of Troup county, to plead and practice law.

A bill to incorporate the Cherokee Manufacturing Company of Floyd county, Georgia, and the Etowah Manufacturing Company of Bartow county, Georgia.

A bill to amend the four thousand eight hundred and thirteenth section of the Revised Code of Georgia.

To extend the criminal jurisdiction of the City Court of Savannah, and for other purposes.

A bill to declare what length of time shall give road commissioners jurisdiction over road hands.

A bill to define the jurisdiction of the courts of this State in suits against railroad companies.

A bill to authorize the survey of lands in the 6th District of Habersham county, and for other purposes.

A bill forbidding the formation and drilling of military companies, and to prescribe a punishment for the same.

A bill to amend an act, entitled an act to educate the indigent maimed soldiers of the State of Georgia.

A bill to prohibit the carrying of concealed weapons.

A bill to change the line between Berrien and Irwin, and Terrell and Lee counties.

A bill for the relief of Isaiah Williams.

A bill to increase the capital stock of the Wilcoxon Manufacturing Company to two hundred thousand dollars.

A bill to change the residence of John C. Shipp, of the county of Cobb, to the county of Paulding.

A bill to change the line between the counties of Marion and Taylor, so as to include the residence of Seaborn Montgomery with lots of land Nos. 223, 224, and 225, now in the county of Marion, to the county of Taylor.

A bill to prevent hunting on the Sabbath day, in this State, with dogs, fire arms, or other implements, or the discharge of fire arms, except in defence of person or property, and to prescribe penalties for the same.

A bill to legalize the acts of the Honorable John T. Clark, Judge of the Superior Court of the Pataula Circuit, while holding the Superior Court of Stewart county, at the April term, 1868.

A bill to authorize an advance of payment to J. W. Burke, State Printer for the present session of this General Assembly.

A bill to authorize John Overstreet, of the county of Appling, to establish a fishery on the Tatnall side of the Altamaha river, at a sand-bar opposite to the place known as Carter's Bite, in Appling county, and to draw a seine in the river.

A bill to incorporate the Buckeye Mining and Manufacturing Company of Forsyth, Hall, Dawson and adjoining counties of North-east Georgia.

A bill to amend an act to incorporate the Georgia Western Railroad Company.

A bill to provide for the registering the voters of Atlanta.

A bill to raise funds by taxation to build a common jail in the county of Bibb, and to authorize the building of the same, and for other purposes.

A bill to alter and amend the first section of article tenth of the Constitution of this State.

A bill to apply the provisions of an act to extend the aid of the State to the completion of the Macon and Brunswick Railroad, to a branch of said road.

A bill to relieve Seaborn Montgomery, and others, as securities upon the bond of Henry L. Tison, tax-collector of Schley county, so far as relates to the convention tax.

A bill to change the line between the counties of Floyd and Gordon.

A bill to change the line between the counties of Clay and Calhoun.

A bill to increase the number of sessions of the Superior Courts in this State, and for other purposes.

A bill to incorporate the Memphis Branch Railroad Com-

any, and to grant certain powers and privileges to the same, and for other purposes.

A bill to alter and amend an act, entitled an act to amend an act, to incorporate the town of Marthasville, in the county of DeKalb, passed on the 23d of December, 1843, and also to enlarge the boundary of said town, and to incorporate the same under the name of the City of Atlanta, and to change the name of the town of Rome to that of the City of Rome.

A bill to repeal an act making the Honey Gull Landing, on Turtle river, in Glynn county, a public landing.

A bill to fix the venue of suits against the superintendent of the Western and Atlanta Railroad, and for other purposes.

A bill for the relief of B. F. Henry, of the county of Bibb, J. N. Colly, of the county of Stewart, and Mrs. Elizabeth J. McCormick, of the county of Telfair.

A bill for the relief of criminals confined in the prison of this State for inability to pay fines, costs, and for other purposes.

A bill exempting the members of the Merchants' and Mechanics' Fire Company of Milledgeville, from road, jury, and militia duty.

A bill for the relief of George D. Whitfield, of Dooly county.

The following House bills were taken up, and severally read the second time, and referred to the Committee of the Whole, to-wit:

A bill to incorporate the Brunswick Gaslight Company.

A bill to make valid the tax levied by the Inferior Court of Echols county, for educational and county purposes, for the year 1868.

A bill to incorporate the Nacoochee Valley Mining Company, and the Hannay Mining Company, of White county.

On motion, the Senate adjourned until to-morrow morning, at nine o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

TUESDAY, September 29, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Adams, Honorable Senator from the 20th District.

The roll was called, and the Journal of the previous day read and approved.

The Senate took up the bill of the House to raise revenue and appropriate money, etc.

The bill was read the second time and referred to the Finance Committee.

On motion of Mr. Burns, the Secretary was directed to have fifty copies printed for the use of the Senate.

Mr. Smith, of the 36th District, in conformity with previous notice, moved to reconsider so much of the Journal of yesterday, as relates to the action of the Senate on the bill to aid and encourage the enforcement of the laws, which was not agreed to.

Mr. Moore, in accordance with previous notice, moved to reconsider so much of the Journal of yesterday, as relates to the action of the Senate, on the bill to protect the people of Georgia against the imposition of unskillful practitioners in the practice of medicine, which was agreed to.

On motion, the bill was laid on the table for the present.

The Senate took up the bill to provide for the service of summons and for appeals in justice courts, and for other purposes.

The bill was read the second time and referred to the Committee on the Judiciary.

Mr. Merrill, from the Judiciary Committee to whom was referred the bill of the House, to provide for the election of a Board of Commissioners for the management, control and government of the Western and Atlantic Railroad, to prescribe the qualifications of the Superintendent, etc., made the following report :

The undersigned, a minority of the committee, to whom was referred the bill in reference to placing the Western and Atlantic Railroad in the hands of commissioners, beg leave to submit the following

REPORT.

We dissent from the views of the majority, for the following reasons :

1st. No sufficient cause is shown for changing a policy which was adopted nearly a quarter of a century ago, by some of the ablest and wisest statesmen of Georgia, after a failure of the plan now proposed by the majority of the committee.

During the last quarter of the century, the road has passed under the administration and control of some of the ablest Governors of the State, and has generally been managed with success and benefit to the people. All admit that the management of the road during the long period of the administration of Governor Brown, was *eminently* successful. The friends of Major Wallace, who held it under Governor Jenkins, claim that his administration has also been a success. If so, the present plan has worked well for more than ten years past.

By an estimate exhibited to the undersigned, it appears that the present able and efficient Superintendent, Col. E. Hulbert, has, since he took charge of the road, reduced the expenses of its management, at the rate of one hundred and twenty-three thousand dollars per annum, below the expenditures under Major Wallace, without the slightest detriment to the successful working and thorough repairs of the road. If Major Wallace's management deserved the approval of the Legislature and the people, that of Col. Hulbert certainly challenges their approval and support.

2d. The will of the people was expressed in the election of Governor Bullock, and the Legislature has no right to condemn him without a trial. He is entitled to the same considerations as his predecessors. He has thus far made a success in the management of this great State work. With a mind eminently practical, and with first rate business qualifications and habits, he will be able to hold those under his charge to a proper accountability, and will no doubt soon demonstrate to the people, the wisdom of their choice, in placing this great interest under his control. Give him a fair trial, and if he fails, then condemn him. He is willing to be tested by this standard.

3d. The plan proposed by the majority is unwise, because a railroad can never be successfully managed, as all experience has proved, unless it is under one responsible head. A divided responsibility in conducting a great public work, will never succeed. This was the very reason which caused the Legislature to abandon the original system of managing this

State interest by commissioners, and place it under the control of the Governor, who is elected by the people, and is directly responsible to them, just as the president of a company road is responsible to the stockholders. The undersigned are aware of no instance in which a public work of this kind belonging to a State has ever been managed by a board of commissioners, and paid regular dividends, amounting to a reasonable per cent. on the capital invested.

4th. The system of management proposed is seriously objectionable in this, that the road in the hands of three or five commissioners, degenerates into a simple party machine, and the incomes will be divided out as party spoils. If it is objected that the road under the control of the Governor is managed in the interests of his party, who will deny that the commissioners, every one of whom will be politicians, will manage it in the interest of their party. With this essential difference in favor of the present plan, that there will in that case be three or four prominent politicians each with his friends to reward, in place of one, as it now is, and as there would not be places enough for all, they will have to compromise with each other, and create new sinecure positions to serve all, which will consume the entire incomes of the road, and leave none for the overtaxed people of the State, who are the stockholders. The political corruption that will grow out of this system is hard to estimate, and will soon, if adopted, bring down the anathemas of the people upon its projectors.

5th. The credit of the State is pledged for over five millions of dollars, most of which is secured by mortgage on the road. The present plan is well understood by bondholders and capitalists who are likely to purchase bonds. The State has to raise still more funds by the use of her credit. And with the lights of experience which capitalists have to guide them, they will lose confidence in the annual returns from the road to the treasury as soon as the change is made. This will seriously affect the credit of the State, and do great injustice and injury, not only to the people, but to other new companies to which the State has agreed to loan her credit to help build their roads, and develope her resources in sections now unprovided with railroad facilities. These companies are limited, and cannot sell the bonds endorsed by the State at less than ninety cents in the dollar. If by a false move of this kind, the credit of the State is reduced below ninety cents, irreparable injury is done these companies, and the people of the sections of the State to be developed by them, as well as to the whole

people, where State credit is to be used for State purposes exclusively.

Finally, the undersigned object to the change, because it is well known to all persons of intelligence, who have paid any attention to the question, both in and out of the General Assembly, that the present movement is a simple party move, to change the control from the Governor to Commissioners, to get rid of the *ins* and provide for the *outs*. In other words, to displace certain officers, now in charge of the road, and give their places to others now out, who are very anxious to get positions now occupied by those whose better fortune they envy, which must be done at an increase in the outset, of the salaries of the commissioners, not less than ten to fifteen thousand dollars, which is a clear loss, to begin with, as the Governor gets no additional salary for the management of the road, to say nothing of all the other evils and misfortunes to which the undersigned have alluded.

For the above, and other reasons which will, no doubt, suggest themselves to the minds of Senators, the undersigned respectfully recommend that said bill do not pass.

W W MERRILL,
JNO. HARRIS,
W BROCK.

Mr. Brock moved to take up the bill.

Mr. Wellborn moved to lay the motion to take up the bill on the table, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adams,	Hinton,	Nesbitt,
Burns,	Holcombe,	Nunnally,
Candler,	Hungerford,	Wellborn.
Collier,	Lester,	Winn.
Griffin, 21st Dist.	McCutchen,	Wooten.
Signilliat,	Moore,	

Those voting in the negative are, Messrs.

Adkins,	Griffin, 6th Dist.,	McWhorter,
Bowers,	Harris,	Richardson,
Brock,	Higbee,	Sherman,
Colman,	Jones,	Smith, 7th Dist.,
Corbitt,	Jordan,	Speer,
Dickey,	Merrill,	Stringer,
Graham,	McArthur,	Welch.

Ayes, 17; nays 21. So the motion to lay the motion on the table did not prevail.

Mr. Nunnally raised the point of order that it was not competent under the rules to take up the bill without a suspension of the rules by a two-thirds vote.

The Chair decided that inasmuch as the reading of Senate bills the third time was in order, it would not require a suspension of the rules to take up a House bill for a third reading, and that it would be competent to take up such bill by a majority vote.

Mr. Nunnally appealed from the decision of the Chair, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adkins,	Harris,	Sherman,
Bowers,	Higbee,	Smith, 7th Dist.,
Brock,	Jones,	Smith, 36th Dist.,
Colman,	Jordan,	Speer,
Corbitt,	Merrill,	Stringer,
Dickey,	McWhorter,	Welch.
Griffin, 6th Dist.,	Richardson,	

Those voting in the negative, are Messrs :

Adams,	Gignilliat,	Moore,
Bruton,	Hinton,	Nesbitt,
Burns,	Holcombe,	Nunnally,
Candler,	Hungerford,	Wellborn,
Collier,	Lester,	Winn.
Griffin, 21st Dist.	McCutehen,	Wooten.

Yeas 20 ; nays 18. So the decision of the Chair was sustained.

After debate, Mr. Adkins called for the previous question, which being sustained, the main question was ordered upon the taking up of the bill, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adkins,	Harris,	Richardson,
Bowers,	Higbee,	Sherman,
Brock,	Jones,	Smith, 7th Dist.,
Colman,	Jordan,	Speer,
Corbitt,	Merrill,	Stringer,
Dickey,	McArthur,	Welch.
Griffin, 6th Dist.	McWhorter,	

Those voting in the negative, are Messrs :

Adams,	Candler,	Gignilliat,
Bruton,	Collier,	Hinton,
Burns,	Griffin, 21st Dist.,	Holcombe,

Hungerford,	Moore,	Wellborn,
Lester,	Nesbitt,	Winn,
McCutchen,	Nunnally,	Wooten.

Yeas 20; nays 18. So the bill was taken up.

After debate, Mr. Wooten moved to lay the bill on the table for the balance of the session, which motion was agreed to.

The Senate took up, as the report of the Committee of the Whole, the bill to change the time for holding the Superior Courts for the Coweta Circuit.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion of Mr. Candler, the Secretary was directed to transmit the bill forthwith to the House of Representatives.

The Senate took up the bill to alter and amend the laws on the subject of divorce.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

Upon agreeing to the report of the committee, the yeas and nays were required to be recorded.

Those who voted in the affirmative are, Messrs :

Adams,	Griffin, 6th District,	McCutchen,
Bowers,	Griffin, 21st Dist.,	Nesbitt,
Brock,	Gignilliat,	Nunnally,
Bruton,	Harris,	Sherman,
Burns,	Higbee,	Speer,
Candler,	Holcombe,	Stringer,
Colman,	Jordan,	Winn.
Corbitt,	Merrill,	Wooten.
Dickey,		

Those voting in the negative, are Messrs:

Adkins,	Hungerford,	Moore,
Collier,	Jones,	Richardson,
Graham,	Lester,	Smith, (36th Dist.)
Hinton,	McWhorter,	

Yeas 25; nays 11. So the bill was lost.

The following message was received from the House of Representatives through Mr. Hardin, their Clerk :

Mr. President: The House of Representatives have passed the following bills, to-wit :

A bill to be entitled an act to incorporate the Dalton and Morgantown Railroad Company.

A bill to allow William J. McGill to peddle in the counties of Taylor and Schley free of license.

A bill to incorporate the Alpharetta Mining Company.

A bill to incorporate the town of Forrestville, in the county of Floyd, and State of Georgia.

A bill to extend the time of issuing grants on head rights to December 25th, 1869.

A bill to incorporate the Muscogee Ice Manufacturing and Trust Company, in the county of Muscogee, State of Georgia.

Mr. Winn, from the Committee of Conference, made the following report :

Mr. President: The Committee of Conference, from the Senate and the House, appointed to consider the tax of twenty per cent. on liquors, have considered the same and report a disagreement, and recommend the appointment of a new Committee of Conference.

All of which is respectfully submitted.

WM. T. WINN,
Chairman.

On motion of Mr. Harris, the report was up.

Mr. Harris then moved the adoption of the same.

Mr. Holcombe moved to lay the report on the table, which was not agreed to.

The question was then put upon the adoption of the report, which was agreed to.

The Chair announced, as the committee under the above, Messrs. Burns, Merrill, and Harris.

On motion, the Secretary was directed to transmit the action of the Senate forthwith to the House of Representatives.

Mr. Winn, from the Committee on General Education, made the following report :

Mr. President: Your committee have considered the following bills :

A bill for the payment of teachers of common schools for the year 1868, which they recommend do not pass.

Also, a bill to provide for the payment of officers and other persons having claims against the late county courts of this State, which they recommend do pass.

Also, a bill to alter and amend an act entitled an act to incorporate Oglethorpe University, at Midway, assented to December 21st, 1835, which they recommend do pass.

Also, a bill to appropriate money for the Institution for the Deaf and Dumb, which they recommend do pass.

All of which is respectfully submitted.

W T. WINN,
Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk :

Mr. President : The House of Representatives have passed the following bill, to-wit :

A bill to incorporate the Noontooty Mining and Manufacturing Company, and for other purposes.

Also, a bill to incorporate the town of Cochran, in Pulaski county, Georgia.

Also, a bill to change the county line between the counties of Habersham and White, and to add a portion of White to the county of Habersham, and for other purposes.

Also, a bill to amend an act to incorporate the town of Spring Place in the county of Murray, and to more accurately define the duties and powers of commissioners of said town, and for other purposes therein mentioned.

Also a bill to change the line between the counties of Hall and White.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President : The Committee on Enrollment report as duly enrolled and ready for the signatures of the President of the Senate and Speaker of the House of Representatives, the following acts and resolutions, to-wit :

An act to incorporate the Schofield Rolling Mill Company.

An act to amend an act to incorporate the Dalton Manufacturing Company.

A joint resolution to authorize Madison Bell, Comptroller General, to transfer the entries upon said temporary books to the books kept by Col. John T. Burns, in order that one set of books may contain the official acts of both of the late Comptrollers General, and to authorize said Madison Bell, Comptroller General, to employ a suitable clerk to execute said work.

E. I. HIGBEE,
Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk :

Mr. President : The House of Representatives have passed the following bill, to-wit :

A bill to loan the credit of the State to the Savannah, Griffin and North Alabama Railroad Company

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President : The Committee on Enrollment report as duly enrolled and signed by the Speaker of the House of

Representatives, and ready for the signature of the President of the Senate, the following resolution, to-wit :

A resolution authorizing the Clerk of the House and Secretary of the Senate to turn over the State printing to J. W. Burke.

E. I. HIGBEE,
Chairman.

The Senate took up the bill for the payment of teachers of common schools for the year 1868.

The Committee on Education, to whom this bill was referred, reported adversely to its passage.

On motion of Mr. Moore, the bill was laid on the table.

The Senate took up the bill to give to persons who may be employees in and about any steam saw mill located in the State of Georgia, or to any person or persons who may furnish any steam saw mill so located, with timber, saw logs or provisions or with anything necessary to carry on the work of said mill, a lien of the highest dignity upon said mill for dues, wages, debts or demands that he, she or they may have against the owner, agent or lessee of said mill.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

Mr. Nunnally proposed the following amendment ; which was agreed to, to-wit :

“ That the owner of such saw mill shall have a lien upon all lumber sold in this State, either for homestead or other house, in preference to any other lien.”

The question was put upon the passage of the bill, as amended, and the bill, as amended, was passed.

The hour having arrived, the Senate adjourned until three o'clock, P M.

THREE O'CLOCK, P M.

The Senate met pursuant to adjournment, and was called to order by the President.

On motion, the rules were suspended, and the Senate took up the following bills of the House of Representatives, which were severally read the first time, to-wit :

A bill to loan the credit of the State to the Savannah, Griffin and North Alabama Railroad Company.

A bill to incorporate the Muscogee Ice Manufacurting and Trust Company, in the county of Muscogee, State of Georgia.

A bill to amend an act to incorporate the town of Spring

Place, in the county of Murray, and to more accurately define the duties and powers of commissioners of said town, and for other purposes therein mentioned.

A bill to incorporate the town of Cochran, in Pulaski county, Georgia.

A bill to change the line between the counties of Hall and White.

A bill to incorporate the town of Forrestville, in the county of Floyd and State of Georgia, and to appoint commissioners for the same, and for other purposes.

A bill to incorporate the Alpharetta Mining Company.

A bill to change the county line between the counties of Habersham and White, and to add a portion of White to the county of Habersham, and for other purposes.

A bill to allow Wm. J. McGill, a one armed man, to peddle in the counties of Taylor and Schley free of license.

A bill to extend the time of issuing grants on head rights so as to extend the time until December 25th, 1869.

A bill to incorporate the Dalton and Morganton Railroad Company.

A bill to incorporate the Noontooty Mining and Manufacturing Company, and for other other purposes.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk :

Mr. President: The House of Representatives have concurred in the Senate amendment to the following House bill, to-wit :

A bill to incorporate the Ocean Bank of Brunswick.

The Senate took up the bill to repeal an act to prescribe the mode of electing the mayor and members of council of the city of Atlanta.

Mr. Winn proposed the following, as a substitute, which was adopted, to wit :

A BILL

To be entitled an Act to amend an act entitled an act to provide the manner of electing the Mayor and Members of Council of the City of Atlanta, and for other purposes.

SECTION 1. The act, entitled an act providing for the election of a mayor and members of council for the city of Atlanta, assented to December 12, 1866, is hereby amended, as follows :

SECTION 2. That all elections for mayor and members of council of the city of Atlanta, shall be by general ticket, two members of council to be chosen from each ward, said election to be held at such places in each ward as said mayor

and council may designate, and shall be superintended as now provided for by law.

SECTION 3. That it shall be the duty of the managers at such elections, on the day after the same is held, to meet at the city hall in said city, and consolidate the returns of the elections of their respective wards, and the persons receiving the highest number of legal votes shall be declared duly elected mayor and members of council for said city.

SECTION 4. All laws and parts of laws in conflict with this act are repealed.

The Senate took up the bill to donate the Okefenokee Swamp lands as a permanent endowment to the Georgia Orphans' Home.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up, as the report of the Committee of the Whole, the bill to authorize Margaret W. Crew, of the county of Marion, to contract in marriage, and for other purposes.

The report of the committee was agreed to, the bill was read the third time, and passed.

On motion, the Secretary was directed to transmit the same forthwith to the House of Representatives.

The Senate took up the bill to change the line between the counties of Washington and Johnson.

The Committee on New Counties and County Lines, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up the bill to provide for the time and manner of hearing and determining causes by writ of *quo warranto*.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up the bill to fix the salary of the clerk in the office of Secretary of State.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to authorize the several judges of the Superior and District Courts of this State to pay

attorneys appointed by them to defend persons charged with crime, under certain circumstances.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill for the relief Davis P. Vickory, of Coweta county.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

On motion, the report of the committee was disagreed to, the bill was read the third time, and passed.

On motion, the Secretary was directed to transmit the same forthwith to the House of Representatives.

The Senate took up the bill for the relief of William Rogers, and estate of Robert Rogers, of Milton county, deceased.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to alter and amend the 4487th section of Irwin's Code.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to change the line between the counties of Calhoun and Early.

The Committee on New Counties and County Lines, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time, and passed.

On motion, the Secretary was directed to transmit the bill forthwith to the House of Representatives.

The Senate took up, as the report of the Committee of the Whole, the bill to increase the bond of the Treasurer of the State of Georgia, to the sum of five hundred thousand dollars.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to change the county line between the counties of Macon and Sumter.

The Committee on New Counties and County Lines, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up the bill to fix the salaries of justices of the peace, notaries public, bailiffs and constables.

On motion, the bill was indefinitely postponed.

The Senate took up the bill to relieve Henry L. Carroll, and Rebecca Mathis, of the county of Union, from the payment of a forfeited recognizance therein specified.

The Committee on Petitions, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up the bill to relieve Lambert C. Cook, of the county of Union, from the payment of, and liability upon, a certain forfeited recognizance therein specified.

The Committee on Petitions, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time, and passed.

On motion of Mr. Wellborn, the Secretary was directed to transmit the two foregoing bills forthwith to the House of Representatives.

The Senate took up, as the report of the Committee of the Whole, the bill to constitute the county of Fulton, a judicial circuit, to be called the Atlanta Circuit, to fix the time of holding the Courts of the same, and for other purposes.

The report of the committee was agreed to, and the bill was lost.

The Senate took up, as the report of the Committee of the Whole, the bill to alter and amend section five of the act incorporating the town of Weston.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion of Mr. Moore, the Secretary was directed to transmit the bill forthwith to the House of Representatives.

The Senate took up, as the report of the Committee of the Whole, the bill to relieve James N. Moss, a minor, of Thomas county.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill to relieve Amos Hicks, a minor, of Thomas county.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion of Mr. Smith, of the 7th District, the Secretary was directed to transmit the two foregoing bills forthwith to the House of Representatives.

The Senate took up the bill to repeal section 897 of the

Code, which exempts from levy and sale, for taxes, property exempted from levy and sale ordinarily

On motion, the bill was referred to the Committee on the Judiciary.

On motion, the Senate adjourned until to-morrow morning at nine o'clock.

SENATE CHAMBER,
ATLANTA, GEORGIA,
WEDNESDAY, September 30th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President. Prayer by the Rev Mr. Smith, Honorable Senator from the 7th District.

The roll was called, and the Journal of the previous day read and approved.

Mr. Winn, in conformity with previous notice, moved to reconsider so much of the Journal of yesterday, as relates to the action of the Senate on the bill to give to persons who may be employees in and about any steam saw mill, located in the State of Georgia, or to any person or persons who may furnish any steam saw mill so located, with timber, saw logs, or provisions, or anything necessary to carry on the work of said mill, a lien of the highest dignity upon said mill for dues, wages, or demands that he, or she, or they, may have against the owner, agent, or lessee of said mill.

After debate, Mr. Nunnally, called for the previous question, which being sustained, the main question was ordered upon the motion of Mr. Winn, which did not prevail.

Mr. Hinton, in accordance with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to change the line between the counties of Washington and Johnson, which motion prevailed.

On motion of Mr. Hinton, the bill was laid on the table.

Mr. Hinton moved also, in conformity with previous notice, to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to alter and amend the 4487th section of Irwin's Code.

The motion to reconsider prevailed, and the bill was passed.

Mr. Lester, in accordance with previous notice, moved to reconsider so much of the Journal of yesterday as relates to

the action of the Senate on the bill to alter and amend the laws on the subject of divorce, which motion was agreed to.

Mr. Lester then moved to strike out section second, which was agreed to.

The question then recurred upon the passage of the bill, as amended, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adkins,	Griffin, 6th Dist.,	Moore,
Brock,	Hinton,	Nunnally,
Candler,	Jones,	Richardson,
Collier,	Lester,	Smith, 36th Dist.,
Graham,	McWhorter,	Welch.

Those voting in the negative are, Messrs :

Adams,	Griffin, 21st Dist.,	Sherman,
Bowers,	Gignilliat,	Smith, 7th Dist.,
Bruton,	Harris,	Speer,
Burns,	Higbee,	Winn.
Colman,	Merrill,	Wooten.
Corbitt,	McCutchen,	

Yeas 15; nays 17 So the bill, as amended, was lost.

The following message was received from his Excellency the Governor, by Mr. deGraffenried, his Secretary, to-wit:

Mr. President: The Governor has signed the following acts, to-wit:

An act to incorporate the Schofield Rolling Mill Company.

An act to amend an act to incorporate the Dalton Manufacturing Company.

Also, a joint resolution to authorize Madison Bell, Comptroller General, to transfer the entries upon said temporary books to the books kept by Col. John T. Burns, in order that one set of books may contain the official acts of both of the late Comptrollers General, and to authorize said M. Bell, Comptroller, etc., to employ a suitable clerk to execute said work.

Mr. Speer, in conformity with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill for the relief of William Rogers and estate of Robert Rogers, deceased, of Milton county.

The motion to reconsider did not prevail.

The Senate took up from the table the bill for the payment of teachers of common schools for the year 1868.

The Committee on Education, to whom this bill was referred, reported adversely to its passage.

Mr. Moore proposed the following as a substitute, to-wit:

A BILL

To be entitled an Act to provide for the payment of Teachers of Common Schools for the year eighteen hundred and sixty-eight.

Whereas, In many of the counties in this State no payment has been made to the teachers of poor children for the year 1868 ; and, *whereas*, a majority of said teachers, are persons in indigent circumstances, who are unable, without great inconvenience, to wait for payment until the funds can be raised under the operation of the laws now of force.

SECTION 1st. *Be it enacted by the General Assembly of the State of Georgia*, That it shall be the duty of the ordinary of each county in this State to draw upon the tax collector of his county for the amount of poll tax collected by him for the year 1868, as soon as said tax is collected, and receipt the collector for the same. The amount so received by the ordinary shall, as soon as the different common school accounts for the year have been properly proven and rendered in to said ordinary, as now provided by law, proceed to pay the accounts *pro rata*, taking receipts for the same, to be recorded in a book kept for that purpose, and the said ordinary shall be allowed two and one-half per cent., as heretofore, for receiving and paying out said funds.

SECTION 2d. The rate of tuition for the year 1868, shall be determined by the grand jury of each county, at its first session after the passage of this act. And said grand jury may, in its discretion, levy an extra tax for said purpose in each county.

SECTION 3d. All laws and parts of laws, militating against this act, are hereby repealed.

After debate, the question was ordered upon the adoption of the substitute, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adams,	Hinton,	Nesbitt.
Griffin, (6th Dist.)	Moore,	Smith, 7th Dist.
Griffin, 21st Dist.,		

Those voting in the negative, are Messrs:

Adkins,	Candler,	Graham,
Bowers,	Colman,	Gignilliat,
Bruton,	Corbitt,	Harris,

Higbee,	McArthur,	Wellborn,
Jones,	McWhorter,	Welch.
Lester,	Sherman,	Winn.
Merrill,		

Yeas 7 ; nays 19. So the substitute was lost.

Mr. Moore then moved to amend the original bill as follows, to-wit :

In section third, in the first line, strike out the word "ordinaries" and insert in lieu the words, "grand jurors." Also strike out in the line next to the last line, of same section, the word "them" and insert in lieu the word "ordinaries."

The question was put upon the amendment of Mr. Moore ; which was agreed to.

The question then recurred upon the passage of the bill, as amended. Whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs :

Adams,	Higbee,	Nesbitt,
Bruton,	Hinton,	Nunnally,
Burns,	Jordan,	Richardson,
Candler,	Lester,	Smith, 7th Dist.,
Collier,	McCutchen,	Smith, 36th Dist.,
Griffin, 6th Dist.,	Moore,	Wooten.
Griffin, 21st Dist.,		

Those voting in the negative are, Messrs :

Adkins,	Harris,	Sherman,
Bowers,	Jones,	Wellborn,
Colman	Merrill,	Welch,
Corbitt,	McWhorter,	Winn.
Gignilliat,		

Yeas 19 ; nays 13. So the bill, as amended, was passed.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk :

Mr. President: The House of Representatives have passed the following Senate bill, to-wit :

A bill to incorporate the Macon Street Railroad Company, and for other purposes.

The Senate took up from the table the bill as reported by the special committee, to organize a criminal court for each county of this State.

Mr. Griffin proposed to amend by striking out the words, "county town" and "incorporated districts," and to insert in lieu thereof the words, "militia districts."

Mr. Adkins offered the following as an additional section, to-wit :

"Any defendant desiring it, may be tried by the justice and notary public of his own district, or either of them, under the same regulations as are provided for their trial in the town districts."

After debate, Mr. Nunnally called for the previous question; which being sustained, the main question was ordered upon the adoption of the additional section as proposed by Mr. Adkins; which was lost.

The question was then ordered upon the amendment as proposed by Mr. Griffin, of the 21st District. Whereupon the yeas and nays were ordered to be recorded.

Those voting in the affirmative are, Messrs:

Adams,	Corbitt,	McWhorter,
Adkins,	Griffin, 6th District,	Moore,
Bowers,	Griffin, 21st District,	Nesbitt,
Bruton,	Gignilliat,	Richardson,
Burns,	Harris,	Wooten.
Collier,		

Those voting in the negative are, Messrs:

Candler,	Jones,	Sherman,
Colman,	Jordan,	Smith, 7th Dist.,
Graham,	Lester,	Smith, 36th Dist.,
Higbee,	Merrill,	Wellborn.
Hinton,	McCurchen,	Welch,
Hungerford,	Nunnally,	Winn.

Yeas 16; nays 18. So the amendment as proposed by Mr. Griffin was lost.

The question recurred upon the passage of the bill, and the same was passed.

On motion, the Secretary was directed to transmit the same forthwith to the House of Representatives.

On motion, the Senator from the 38th District was granted leave of absence for a few days.

Also, the Senator from the 24th District was granted leave of absence for the remainder of this present week.

The Senate took up the bill creating a new judicial circuit, and to fix the time of holding the courts for the same.

The Judiciary Committee, to whom this bill was referred, reported the same back with the recommendation that it do not pass.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to change the terms of the Superior Court for the county of Macon.

The Judiciary Committee, to whom this bill was referred, reported the same back without recommendation.

On motion of Mr. Jones, the bill was read the third time and passed.

The Senate took up the bill to exempt lawyers and physicians from the levy and collection of a specific tax.

The Judiciary Committee, to whom this bill was referred, reported the same back with the recommendation that it do not pass.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill for the relief of securities and endorsers and guarantors.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to establish a State police.

Mr. Higbee, who introduced this bill, was permitted to withdraw the same.

The Senate took up the bill to change the residence of Thomas T. Newton, of the county of Coffee, to the county of Clinch.

The Committee on New Counties and County Lines, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to incorporate the Merchants' Savings Bank of Augusta, Georgia.

The Committee on Banks, to whom this bill was referred, reported the same back with the recommendation that it do pass with an amendment.

Mr. Winn offered the following as a substitute for the amendment as proposed by the committee, to-wit:

"That the stockholders in said corporation shall be bound for the debts of said corporation, in the same manner as corporations are now bound by law.

The question was put upon the substitute of Mr. Winn; which was lost.

The report of the committee was agreed to, and upon the passage of the bill a constitutional majority being required to pass the same, the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs :

Adams,	Collier,	Gignilliat,
Adkins,	Corbitt,	Harris,
Bowers,	Graham,	Higbee,
Burns,	Griffin, 6th Dist.,	Hungerford,
Candler,	Griffin, 21st Dist.	Jones,

Lester,	Richardson,	Wellborn,
McWhorter,	Smith, 7th Dist.,	Welch,
Nesbitt,	Smith, 36th Dist.,	Wooten.
Nunnally,		

Those voting in the negative are, Messrs :

Bruton,	Merrill,	Winn.
Colman,	Sherman,	

Yeas 25; nays 5. So the bill, as amended, was passed by a constitutional majority.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem*.

Mr. President : The House of Representatives have passed the following bills, to-wit:

A bill to alter and amend chapter 3rd, title 15, part 1st, of Irwin's Revised Code, and for other purposes.

A bill to incorporate the Atlanta Trade Company.

A bill to repeal an act, entitled an act to amend an act to incorporate the Atlanta Medical College, and to define more fully the powers of the trustees of said college.

A bill to change the time of holding Bartow Superior Court.

A bill to constitute certain persons therein named a board of commissioners for the town of Dahlonega.

A bill to authorize and empower the Ordinaries of this State to issue writs of *habeas corpus*.

And have also adopted the following report of the Conference Committee:

The Conference Committee on the tax bill have agreed to strike out in section —, twenty cents, and insert ten cents.

The hour having arrived, the President announced the Senate adjourned until three o'clock, P M.

THREE O'CLOCK, P M.

The Senate met pursuant to adjournment, and was called to order by the President.

The following bill of the House was taken up, read the second time, committed, and made the special order for Friday next, to-wit:

A bill to loan the credit of the State to the Savannah, Griffin and North Alabama Railroad Company.

The following bills of the House of Representatives were

taken up, and severally read the second time, and referred to the Committee on the Judiciary, to-wit :

A bill to prohibit the carrying of concealed weapons.

A bill for the relief of Isaiah Williams.

A bill to extend the time of issuing grants on head rights, so as to extend the time until December 25th, 1869.

A bill to legalize the acts of the Honorable John T. Clarke, Judge of the Superior Court of the Pataula Circuit, while holding the Superior Court of Stewart county, at the April term, 1868.

A bill to prevent hunting on the Sabbath day, in this State, with dogs, fire-arms, or other implements, or the discharge of fire-arms, except in defence of person or property, and to prescribe penalties for the same.

A bill to point out the mode of paying the fees of the Solicitor General of the Eastern Judicial Circuit of Georgia, and for other purposes.

A bill to relieve Seaborn Montgomery, and others, securities upon the bond of Henry L. Tison, tax collector of Schley county, so far as relates to the convention tax.

The following bills of the House were taken up and severally read the second time, and referred to the Committee on the Judiciary, to-wit :

A bill for the relief of criminals confined in the prisons of this State, for inability to pay fines, cost, and for other purposes.

A bill exempting the members of the Merchants and Mechanics Fire Company of Milledgeville, from road, jury and militia duty.

A bill to alter and amend an act to alter and amend the first section of article 10, of the Constitution of this State.

A bill to amend the 4813th section of the Revised Code of Georgia, to extend the criminal jurisdiction of the City Court of Savannah, and for other purposes.

A bill to increase the number of sessions of the Superior Court of this State, and for other purposes.

A bill to fix the venue of suits against the Superintendent of the Western and Atlantic Railroad, and for other purposes.

The following bill of the House was taken up and read the second time, and referred to the Committee on Education, to-wit :

A bill to change the residence of John C. Shipp, of the county of Cobb, to the county of Paulding.

The following bill of the House was taken up and read the second time, and referred to the Committee on Finance, to-wit :

A bill to authorize an advance of payment to J. W.

Burke, State Printer, for the present session of this General Assembly.

The following bills of the House were taken up and read the second time, and referred to the Committee on New Counties and County Lines, to-wit :

A bill to change the county line between the counties of Habersham and White, and to add a portion of White to the county of Habersham, and for other purposes.

A bill to change the line between the counties of Hall and White.

A bill to change the line between Berrien and Irwin, and Terrell and Lee counties.

A bill to change the line between the counties of Marion and Taylor, so as to include the residence of Seaborn Montgomery, with lots of land, numbers 222, 223, 224 and 225, now in the county of Marion, to the county of Taylor.

The following bills of the House were taken up, severally read the second time, and referred to the Committee on Internal Improvements, to-wit :

A bill to amend an act to incorporate the Georgia Western Railroad Company.

A bill to incorporate the Memphis Branch Railroad Company, to grant certain powers and privileges to the same, and for other purposes.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem*, to-wit :

A resolution to furnish Harrison's Pamphlet of Laws to certain officers.

The following bills of the House of Representatives were taken up and severally read the second time, and referred to the Committee of the Whole, to-wit :

A bill for the relief of George D. Whitfield, of the county of Dooley.

A bill to incorporate the Buck Eye Mining Company, of Forsyth, Hall and Dawson counties, of Northeast Georgia.

A bill to incorporate the Alpharetta Mining Company.

A bill to incorporate the Noontooty Mining and Manufacturing Company, and for other purposes.

A bill to incorporate the Dalton and Morganton Railroad Company.

A bill to raise funds by taxation, to build a common jail in the county of Bibb, and to authorize the building of the same, and for other purposes.

A bill for the relief B. F. Henry, of the county ; J. N. Colley, of the county of Stewart, and Mrs. Elizabeth J McCormick, of the county of Telfair.

A bill to incorporate the Cherokee Manufacturing Company of Floyd county, Georgia, and the Etowah Manufacturing Company, of Bartow county, Georgia.

A bill to authorize the survey of lands in the 6th District of Habersham county, and for other purposes.

A bill to incorporate the town of Forrestville, in the county of Floyd, State of Georgia, and to appoint commissioners for the same, and for other purposes.

A bill to increase the capital stock of the Wilcoxon Manufacturing Company, to two hundred thousand dollars.

A bill to provide for registering voters in Atlanta.

A bill to repeal an act making the Honey Gall Landing, on Turtle river in Glynn county a public landing.

A bill to repeal an act prohibiting the sale of spirituous liquors in the town of Fayetteville, approved December 3d, 1859.

A bill to alter and amend an act entitled an act to incorporate the town of Marthasville, in the county of DeKalb, passed on the 23d day of December, 1843, and also to enlarge the boundaries of said town and to incorporate the same under the name of the City of Atlanta, and to change the name of the town of Rome to that of the City of Rome.

A bill to declare what length of time shall give road commissioners jurisdiction over road hands.

A bill to incorporate the Muscogee Ice Manufacturing and Trust Company, in the county of Muscogee, State of Georgia.

A bill forbidding the formation and drilling of military companies, and to prescribe a punishment for the same.

A bill to change the line between the counties of Clay and Calhoun.

A bill to incorporate the town of Cochran, in Pulaski county, Georgia.

A bill to change the lines between the counties of Floyd and Gordon.

A bill to amend an act to incorporate the town of Spring Place, in the county of Murray, and to more accurately define the duties and powers of commissioners of said town, and for other purposes therein mentioned.

A bill to allow William J. McGill, a one armed man, to peddle in the counties of Taylor and Schley, free of license.

A bill to incorporate the Manufacturing Marine Railway Commercial Dry Dock Company of Brunswick.

A bill to define the jurisdiction of the courts of this State in suits against railroad companies.

A bill to incorporate the Brunswick Gas Light Manufacturing Company.

A bill to amend an act entitled an act to educate the indigent maimed soldiers of Georgia, etc.

A bill to authorize John Overstreet, of the county of Appling, to establish a fishery on the Tattnall side of the Altamaha river, at a sand bar opposite the place known as Carter's Bite, in Appling county, and to draw a seine in the river, etc.

A bill to authorize Albert H. Cox, of Troup county, to plead and practice law.

The following bills of the House of Representatives were taken up and severally read the first time, to-wit :

A bill to amend an act amending the charter of the Atlanta Medical College.

A bill to alter and amend chapter 3d, title 15, part first of Irwin's Revised Code, and for other purposes.

A bill to authorize and empower the ordinaries of this State to issue writs of *habeas corpus*, and to hear and determine the same.

A bill to constitute certain persons therein named a board of commissioners for the town of Dahlonga.

A bill to change the time of holding the Superior Courts of Bartow county.

A bill to incorporate the Atlanta Trade Company.

On motion, the Senate adjourned until to-morrow morning at nine o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

THURSDAY, October 1st, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Bowers, Honorable Senator from the 31st District.

The roll was called and the Journal of the previous day read and approved.

The Senate took up as the report of the Committee of the Whole, the bill to expedite the trial of causes in the Superior Courts of the State in which the Judges upon the bench may have an interest.

Mr. Fain proposed the following as section two, which was agreed to, to-wit:

"Be it further enacted, That in all cases in which the presiding Judge may have been employed as counsel before his appointment as such Judge, that he shall preside in such cases if the opposite party or counsel agree in writing that he may preside."

The question was put upon the passage of the bill, as amended, and the bill, as amended, was read the third time and passed.

On motion, Senator Moore was granted leave of absence for a few days on account of sickness in family.

The Senate took up as the report of the Committee of the Whole, the bill to prevent the felling of trees or casting into water courses and mill or other ponds any vegetable matter that is subject to decay, and to provide the punishment for the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to repeal section 897 of the Code which exempts from levy and sale for taxes property exempted from levy and sale ordinarily.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill for the relief of A. L. Sutherland, of the county of Whitfield.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up as the report of the Committee of the Whole, the bill to regulate the issue and payment of all orders upon the county treasury of the different counties of this State.

The report of the committee was agreed, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem*:

Mr. President: The House of Representatives have passed the following bill; yeas 125; nays none:

A bill to incorporate the John King Banking Company, of Columbus, and the City Banking Company, of Macon, Georgia.

Also, a bill to change the seventh paragraph of the 1711 section of the divorce law.

Also, a bill to change the time of holding the fall term of the Superior Court, of Dawson county.

Also, a bill to amend the charter of the Princeton Factory.

Also, a bill to amend the charter of the Atlanta Street Railroad Company; to change its name, to confer banking powers on the same, and for other purposes.

A bill to incorporate the town of Jefferson, in Jackson county, and for other purposes.

A bill for the relief of Merritt Camp, of the county of Gwinnett.

A bill to incorporate the Etowah Gold Mining Company, of Georgia.

They have also adopted the following resolution:

A resolution directing the Superintendent of Public Works to revise the map of the State of Georgia.

Mr. Burns, from the Committee of Conference, appointed to take into consideration the disagreement of the two Houses, relative to the tax on sales of liquors, made the following report:

Mr. President: The committee appointed to take into consideration the disagreement of the two Houses, on the tax on sales of spirituous liquors, have had the same under consideration, and have agreed to the following:

To strike out the word "twenty," wherever it occurs, and insert the word "ten," so that the sales of liquors shall be taxed ten cents on each gallon sold, instead of twenty cents, as originally intended.

J. T. BURNS,

Chairman Committee on part of Senate.

On motion, the report was taken up and adopted.

On motion of Mr. Harris, the bill of the House was then taken up and passed with the amendment as agreed upon by the Committee of Conference, as stated in the foregoing report.

On motion, the Secretary was directed to transmit the action of the Senate forthwith to the House of Representatives.

The Senate took up the bill to reduce the sheriff's bond in the county of McIntosh.

On motion the bill was indefinitely postponed.

The Senate took up the bill to secure efficiency in the records of ordinaries and other officers of this State.

The Judiciary Committee, to whom this bill was referred,

reported the same back with the recommendation that it do not pass.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill guaranteeing the rights of voters.

The Judiciary Committee, to whom this bill was referred, reported the same back without recommendation.

On motion the bill was indefinitely postponed.

The Senate took up a bill to add a proviso to section 4492 of Irwin's Code.

The Judiciary Committee, to whom this bill was referred, reported the same back with the recommendation that it do not pass.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to compel tax payers of this State to pay their taxes at their respective county sites whenever the tax collectors shall require it.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill for the relief of John N. Sligh and James Sligh, of the county of Paulding.

The Judiciary Committee, to whom this bill was referred, reported the same back with the recommendation that it do not pass.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill to provide for the payment of officers and other persons having claims against the late county courts of said State.

On motion, the bill was indefinitely postponed.

The Senate took up the bill to provide for the drawing of juries in certain cases therein mentioned.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk *pro tem*.

Mr. President: The House of Representatives have passed the following bills, to-wit:

A bill to incorporate the Georgia and Alabama Steamboat Company.

A bill to amend an act to incorporate the town of Barnes-

ville, in Pike county, and to point out the mode of electing commissioners and other officers, and for other purposes.

A bill to allow practicing attorneys to administer oaths in certain cases.

A bill for the relief of Rachel Box, of the county of Clinch.

A bill to authorize the Universal Life Insurance Company of New York to make investments in the State of Georgia, and for other purposes.

A bill for the relief of Jane E. Sims, and to constitute her a *feme sole* as to all her separate property

A bill to incorporate the Savings Bank of Atlanta.

They have also adopted the following resolutions:

A resolution for the relief of James Holliman, tax collector of the county of Upson.

A resolution requesting the Senate to return a certain bill to this House.

Mr. Smith, of the 36th District, Chairman of Committee on New Counties and County Lines, made the following report:

Mr. President: The Committee on New Counties and County Lines have had under consideration a bill to be entitled an act to change the lines between the counties of Green, Hancock and Taliaferro; also, a bill to be entitled an act to change the line between the county of Quitman and the county of Stewart, both of which we respectfully recommend do pass.

W. C. SMITH,
Chairman.

Mr. Merrill, from the Committee on the Judiciary, made the following report:

Mr. President: The Committee on the Judiciary, to whom was referred a bill to provide for the service of summons and for appeals in justice courts, and for other purposes, have had the same under consideration, and recommend that the same do pass, with the following amendment:

Strike out the words in the first section, "and the date of the service shall be considered the commencement of the action," and insert the words, "and the date of the issuing of the summons shall be considered the commencement of the action."

Also, a bill to add a proviso to section 4492 of the Code; which they recommend do not pass.

Also, a bill for the relief of John N. Sligh and James Sligh, of Paulding county; which they recommend do not pass.

Also, a bill authorizing the Governor to appoint a State Geologist; which they report back without recommendation.

Also, a bill to point out the mode of paying the fees of the Solicitor General of the Eastern Judicial Circuit of Georgia, and for other purposes therein enumerated ; which they recommend do pass.

Also, a bill to amend the 4813th section of the Code ; which they recommend do pass.

Also, a resolution in reference to unfinished business ; which they report adversely to.

Also, a bill to create a court for the trial of criminal cases in this State ; which they also recommend do not pass.

Also, a resolution to subscribe for 200 copies of Millen's Digest of the Supreme Court of Georgia ; which they recommend be adopted.

Also, a resolution to authorize the acceptance of the charter of the City Bank, with a substitute ; which they recommend do pass in lieu of the original.

Also, a bill to alter and amend section 4330 of the Code ; which they recommend do not pass.

Also, a bill to alter and amend the 4333d section of the Code ; which they recommend do pass.

Also, a bill to provide for the drawing of juries in certain cases ; which they recommend do pass.

Also, a bill to compel tax payers of this State to pay their taxes at their respective county sites ; which they recommend do not pass.

Also, a bill to provide for the drawing of juries for the Superior Court in the county of Chatham ; which they recommend do pass.

Also, a bill to secure efficiency in the records of ordinaries and other officers of this State ; which they report adversely to.

Also, a bill to legalize the action of E. D. Watson, ordinary of Lee county ; which they recommend do pass.

Also, a bill to incorporate the Gainesville, Dahlonga and Duck-town Railroad Company ; which they recommend do pass.

Also, a bill to continue in office Judges of the Superior Courts in certain cases therein mentioned ; which they recommend do pass.

Also, a bill guaranteeing the rights of voters ; which they report back without recommendation.

Also a bill to repeal section 897 of the Code, which exempts from levy and sale for taxes property exempted from levy and sale ordinarily ; which they recommend do pass.

Also, a resolution in reference to the establishment of poor houses ; which they report back without recommendation.

Also, a bill to reduce the sheriff's bond of the county of

McIntosh; which they report back without any recommendation.

Also, a bill explanatory of and to carry into effect section 12, division 2, and article 5 of the Constitution; which they recommend do pass, with an amendment.

W W MERRILL,

Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have passed the following bills, to-wit:

A bill to relieve R. L. Rogers, of the county of Bartow.

A bill to levy and collect a tax for the support of the Government for the year 1868, and for other purposes.

The Senate took up the bill to provide for the drawing of juries for the Superior Court in the county of Chatham.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report:

Mr. President: The Committee on Enrollment report as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following act to-wit:

An act to incorporate the Ocean Bank of Brunswick.

E. I. HIGBEE,

Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives have passed the following bill, to-wit:

To prohibit the sale of lottery tickets in the State of Georgia.

The Senate took up the bill to alter and amend the 4333d, section of Irwin's Code, relating to the punishment for cattle stealing.

The Judiciary Committee to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to authorize F W Daws of Fannin county, to practice medicine in this State, and for other purposes.

The Judiciary Committee to whom this bill was referred, reported the same back without recommendation.

On motion, the bill was read the third time and passed.

The Senate took up the bill to relieve Julius W Driver from pains and penalties of second marriage.

On motion, the bill was laid on the table for the present.

The Senate took up the bill to legalize the action of E. D. Watson, ordinary of Lee county.

The Judiciary Committee to whom this bill was referred, reported the same back, with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill authorizing the Governor to appoint a Geologist for the State.

The Committee on Internal Improvements, to whom this bill was referred, reported the same back without recommendation.

Mr. Smith, of the 2d District, proposed the following as an amendment, to-wit :

A BILL

To be entitled an act to create the office of State Geologist, prescribe the mode of electing said officer, and his duties and salary.

SECTION 1st. That from and immediately after this bill becomes a law, the Legislature shall proceed on joint ballot to elect a State Geologist.

SEC. 2d. Said State Geologist shall hold his office at the capital for the term of — years, and shall receive a salary of — dollars in the currency of the country.

SEC. 3d. It shall be the duty of said State Geologist to visit every section of the State, to examine the various minerals and soils of each section and analyze them to ascertain the peculiar mineralogical and geological characteristics of the different portions of the State, to discover in what geological formations are to be found gold, silver, lead, iron, coal and other valuable minerals, to analyze said formations and ascertain the per centage of said minerals in said compound formations, to examine, compare and analyze the different soils in the various sections of the State, and to ascertain by said chemical analysis, and by actual experiment, what kind of fertilizers are best adapted to the different soils of the State, to ascertain the best and cheapest fertilizers for each particular character of soil may be

obtained, and to do and perform all other duties which are usually incumbent on a State Geologist.

And be it further enacted, That all necessary apparatus, chemicals and chemical tests which may be required by said Geologist shall be furnished by the State.

SEC. 4th. *And be it further enacted*, That said Geologist shall have power to appoint an assistant who shall act *ex-officio* as secretary, at a — salary of — dollars.

SEC. 5th. *And be it further enacted*, That all the necessary traveling expenses of said State Geologist, whilst in the performance of his duties, shall be paid out of the treasury of the State.

SEC. 6th. *And be it further enacted*, That the State Geologist shall make an annual report to the General Assembly of the State, of all his acts in the discharge of his official duties.

SEC. 7th. *And be it further enacted*, That all laws and parts of laws militating against this act, be and the same are hereby repealed.

Mr. Burns moved to lay the whole matter on the table, which was agreed to.

The Senate took up the bill to incorporate the Gainesville Dahlonga and Ducktown Railroad Company.

The Judiciary Committee to whom this bill was referred, reported in favor of its passage.

On motion of Mr. Harris, section four was stricken out.

The report of the committee was agreed to, the bill as amended was read third time and passed.

The Senate took up the bill explanatory of, and to carry into effect, section 12, division 2, and article 5th, of the Constitution of the State of Georgia.

The Judiciary Committee to whom this bill was referred, reported in favor of its passage with an amendment.

Mr. Wellborn proposed the following amendment, to-wit :

“All fines arising from convictions, and all moneys arising from forfeitures, from recognizances shall inure to the benefit of the county wherein the offence may be committed.”

The question was put upon the amendment of Mr. Wellborn, which was lost.

The question was then put upon the report of the committee, which was not agreed to.

Mr. Candler proposed the following amendment, which was agreed to-wit :

“*Provided*, That nothing in this act shall be so construed as to subject the county to which the prisoner is

transferred for trial, to the payment of jail fees, but such fees shall be paid by the county where the offence was committed."

The question then recurred upon the passage of the bill as amended, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adams,	Graham,	McWhorter,
Anderson,	Gignilliat,	Moore,
Bowers,	Hinton,	Nesbitt,
Bruton,	Jones,	Richardson,
Candler,	Jordan,	Smith, 7th Dist.
Corbitt,	McArthur,	Speer,
Dickey,	McCutchen,	Winn.
Fain,		

Those who voted in the negative are, Messrs :

Colman,	Lester,	Smith, 36th Dist.
Collier,	Merrill,	Stringer,
Griffin, 21st Dist.	Nunnally	Wellborn,
Harris,	Sherman,	Welch.
Higbee,		

Yeas, 22 ; nays, 13. So the bill as amended was passed.

On motion, the rules were suspended, and the Senate took up as the report of the Committee of the Whole, the House bill to appropriate a fund for the burial of the Confederate dead who may be within the limits of this State

The bill was read the third time, and upon its passage the yeas and nays were required to be recorded.

Those who voted in the affirmative are, Messrs :

Adams,	Gignilliat,	Moore,
Bruton,	Harris,	Nesbitt,
Burns,	Higbee,	Nunnally,
Candler,	Hinton,	Richardson,
Colman,	Hungerford,	Sherman,
Collier,	Jones,	Smith, 7th Dist.,
Corbitt,	Jordan,	Smith, 36th Dist.,
Fain,	Lester,	Speer,
Graham,	Merrill,	Stringer,
Griffin, 6th Dist.,	McArthur,	Wellborn,
Griffin, 21st District,	McCutchen,	Winn.

Yeas, 33 ; nays, 0. So the bill was passed.

On motion, Senator Griffin, of the 6th District, was granted leave of absence for the balance of the session.

The Senate took from the table, the bill to extend the

provisions of an act entitled an act to authorize the formation of two fire companies in the city of Macon, to be called the Protection Fire Company, Number One, and the Ocmulgee Fire Company, Number Two, of the city of Macon, and to confer on the members thereof certain privileges and exemptions, approved February seventh, 1864, to Mechanics Fire Company, Number Four, of the city of Macon, any law to the contrary notwithstanding.

On motion of Mr. Speer, the bill was read the third time and passed.

The Senate took up the resolution of the House requesting the Senate to return a certain bill to change the lines between White and Habersham counties.

On motion, the Secretary was directed to return the bill to the House forthwith.

Mr. Winn, Chairman of the Committee on General Education, made the following report:

Mr. President: The Committee on General Education, to whom was referred the bill to change the residence of John C. Shipp, of the county of Cobb, to the county of Paulding, have considered the same, and report the bill back with amendments, and recommend that the bill do pass.

WM. T. WINN,
Chairman.

The Senate took up, as the report of the Committee of the Whole, the bill to permit A. K. Whitfield, of the county of Decatur, to peddle in this State free of license.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up the bill to create a court for the trial of criminal cases in this State, and for other purposes.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up as the report of the Committee of the Whole, the bill to relieve Thomas Adams from pains and penalties as security on the bond of Wm. Willy.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up the bill to change the line between the counties of Polk and Haralson, so as to add to the county of Haralson, lots of land numbers 401, 402, 472, and 473.

The Committee on New Counties and County Lines, to whom this bill was referred, reported the same back with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up as the report of the Committee of the Whole, the bill to change the line between the counties of Gilmer and Fannin, in this State.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to alter and amend section 4330 of Irwin's Code.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to and the bill was lost.

The Senate took up the bill in relation to noting and protesting promissory notes on bills of exchange.

The Judiciary Committee, to whom this bill was referred, reported the same back with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to alter and change the names of Louellar Ester Newton, Annie Ellen Newton, Oliver Charlie Newton, Mary Newton, and Lee Newton, of Spalding county.

On motion, the bill was laid on the table.

The Senate took up the bill to give physicians in this State a lien on homestead and exemption, and to provide for the payment of the same.

On motion of Mr. Winn, the bill was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, the bill to explain an act entitled an act to levy and collect a tax for the support of the government for the year 1868, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to continue in office judges of superior courts in certain cases therein mentioned.

Mr. Hinton proposed the following amendment, to-wit: After the word "appointed," insert the words, "and the appointment confirmed by the Senate."

The question was put upon the adoption of the amendment, and the same was adopted.

The question recurred upon the passage of the bill, as amended, and the bill, as amended, passed.

The Senate took up, as the report of the Committee of the

Whole, the bill to authorize the sale of the lands of the Georgia Military Institute.

On motion of Mr. Burns, the bill was indefinitely postponed.

The Senate took up the bill to provide for the service of summons, and for appeals in Justice Courts, and for other purposes.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage, with an amendment.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to incorporate the Scudder Mining and Manufacturing Company, and for other purposes.

On motion, the bill was laid on the table for the present.

On motion of Mr. Burns, the Secretary was directed to transmit the bills passed by the Senate forthwith to the House of Representatives.

On motion, the Senate then adjourned until half past three o'clock, P M.

HALF-PAST THREE O'CLOCK, P M.

The Senate met pursuant to adjournment, and was called to order by the President.

The Senate took up from the table, as the report of the Committee of the Whole, the bill to incorporate the Scudder Mining and Manufacturing Company, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the resolution authorizing the acceptance of the surrender of the charter of the City Bank of Augusta.

The Judiciary Committee, to whom this bill was referred, reported the same back with the following substitute, which they recommend do pass, in lieu thereof, to-wit:

Whereas, By the losses incident to the war, and by the legislation of the State of Georgia during the late war, and by the repudiation of the indebtedness of the State of Georgia, as contained in its securities, issued during the late war, many of the banks of the State of Georgia incorporated prior to the war, have been compelled to suspend the exercise of their chartered rights and privileges; and, *whereas*,

the said banks are desirous of surrendering their said franchises to the State; be it, therefore,

Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, That his Excellency, the Governor, be, and he is hereby authorized, to accept the surrender of the charters of the said banks, which have made, or may hereafter make, *bona fide* assignment of all their assets, real and personal, to responsible assignees, to be distributed among their creditors according to the priorities established by law, the said surrenders to be accompanied with such assurance under oath of the assignees, as may be satisfactory to his Excellency, that a full and complete assignment of all the assets of such banks have been duly made by the said banks and accepted by the assignees.

After debate, the question was put upon the adoption of the substitute, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adkins,	Lester,	Richardson,
Griffin, 6th Dist.,	Merrill,	Smith, 7th District,
Gignilliat,	Nesbitt,	Speer.
Hungerford,		

Those voting in the negative, are Messrs:

Adams,	Corbitt,	McCutchen,
Bowers,	Dickey,	Moore,
Bruton,	Graham,	Sherman,
Burns,	Griffin, 21st Dist.,	Smith, 36th Dist.,
Candler,	Harris,	Winn.
Collier,	Jordan,	Wooten.

Yeas 10; nays 18. So the substitute was lost.

On motion of Mr. Lester, the original resolution was referred back to the Judiciary Committee.

The Senate took up the resolution to authorize and require the Governor to appoint three fit and proper persons to represent the stock of the State of Georgia in the elections of the Atlantic and Gulf Railroad Company.

The Judiciary Committee to whom this resolution was referred reported adversely to its adoption.

The report of the committee was agreed to, and the resolution was lost.

The Senate took up the resolution in reference to the establishment of poor houses in the several counties of this State.

The Judiciary Committee, to whom this resolution was referred, reported the same back without recommendation.

On motion, the resolution was laid on the table for the present.

The Senate took up the resolution in reference to unfinished business.

The Judiciary Committee, to whom this resolution was referred, reported adversely to its adoption.

The report of the committee was agreed to and the resolution was lost.

The Senate took up the resolution to subscribe for 200 copies of Millen's Digest of the Supreme Court of Georgia. Upon the passage of the resolution, the yeas and nays were demanded.

Those voting in the affirmative are, Messrs.

Dickey,	Lester,	Smith, 7th District,
Graham,	McArthur,	Speer,
Gignilliat,	Nesbitt,	Wellborn.

Those voting in the negative, are Messrs :

Adams,	Griffin, 6th Dist.,	Nunnally,
Adkins,	Griffin, 21st Dist.,	Richardson,
Bowers,	Harris,	Sherman,
Bruton,	Higbee,	Smith, 36th Dist.,
Burns,	Hinton,	Welch,
Candler,	Jordan,	Winn,
Collier,	McCutchen,	Wooten.
Corbitt,	McWhorter,	

Yeas 9 ; nays 23. So the resolution was lost.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President : The Committee on Enrollment, report as duly enrolled and ready for the signatures of the President of the Senate, and the Speaker of the House of Representatives, the following acts, to-wit :

An act to provide for setting apart a homestead of realty, etc.

An act to incorporate the Macon Street Railroad Company, and for other purposes.

E. I. HIGBEE.
Chairman.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem*.

Mr. President : The House of Representatives have passed the following bills, to-wit :

A bill to change the county line between the counties of Macon and Taylor.

A bill to provide for the payment of the interest now due and to mature on the bonds of the State for the fiscal year 1868.

A bill to authorize and require the trustees of the University of Georgia, to provide a college for the benefit of Agriculture and Mechanic Arts in the State of Georgia.

A bill to change the line between the counties of Cherokee and Pickens, so as to include all of William Dowd's plantation in the county of Cherokee.

A bill to change the time for holding the Superior Court in the county of Marion.

A bill to repeal an act to extend the provisions of the act to amend the several acts now in force, regulating the fees of magistrates and constables in the State of Georgia, so far as relates to the counties of Bibb, Richmond, Monroe and Lee; and to provide for the mode of collecting the same, approved January 22d, 1852, to the county of Fulton. Approved March 1st, 1856, so far as said act applies to the county of Fulton.

A bill to incorporate the Southern Life Insurance Company.

A bill to validate the charter of St. Mary's Georgia.

A bill to amend an act, entitled an act to incorporate the Rome Mutual Insurance Company, of Rome, Georgia, and for other purposes.

A bill to incorporate the town of Homerville, in the county of Clinch, and for other purposes.

A bill to incorporate the town of Hogansville, in the county of Troup, and for other purposes.

A bill to prescribe the oath to be administered to voters, for electors of President and Vice President of the United States, Governor, members of Congress, members of General Assembly, and county officers.

A bill to incorporate the Wilmington Railroad Company.

A bill to authorize the auditor of the Western and Atlantic Railroad to pay F. C. McCreary, one hundred dollars per quarter from the treasury of said road.

The Senate took up the bill of the House, to fix the time for electing Representatives from this State in Congress.

Mr. Wellborn proposed to amend as follows, strike out the words "Tuesday after the first Monday in November," and insert in lieu the words, "for the first election, the first

Wednesday in February, then on the Tuesday after the first Monday in November."

The question was put upon the amendment of Mr. Wellborn, which was agreed to.

The question then recurred upon the passage of the bill as amended, and the bill, as amended, was passed.

On motion, the hour of adjournment was extended.

The Senate took up as the report of the Committee of the Whole, the House bill to incorporate the town of Trion, in the county of Chatooga.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the House bill to provide for the election of Justices of the Peace and Constables.

The Judiciary Committee to whom this bill was referred, reported in favor of its passage with an amendment.

The report of the committee was agreed to, the bill was read the third time and passed.

The following bills of the House of Representatives were taken up and read the second time, and referred to the Committee of the Whole, to-wit :

A bill to constitute certain persons therein named, a Board of Commissioners for the town of Dahlonega.

A bill to change the time of holding the Superior Courts of Bartow county

A bill to authorize and empower the Ordinaries of this State to issue writs of *habeas corpus* and to hear and determine the same.

A bill to incorporate the Atlanta Trade Company.

The following bills of the House of Representatives were taken up and severally read the second time, and referred to the Committee on the Judiciary, to-wit :

A bill to alter and amend chapter 3d, title 15th, part 1st of Irwin's Revised Code, and for other purposes.

The following bills of the House of Representatives were taken up and severally read the first time, to-wit :

A bill for the relief of Rachel Box, of the county of Clinch.

A bill to allow practicing attorneys to administer oaths in certain cases.

A bill to authorize the Universal Life Insurance Company of New York, to make investments in the State of Georgia, and for other purposes.

A bill for the relief of Jane E. Simms, and to constitute her a *feme sole* as to all her separate property.

A bill to amend an act to incorporate the town of Barnesville, in Pike county, and to point out the mode of

electing commissioners and other officers, and for other purposes.

A bill to incorporate the Georgia and Alabama Steamboat Company.

A bill to amend the charter of the Atlanta Street Railroad Company, to change its name, to confer banking powers on the same, and for other purposes.

A bill to incorporate the town of Jefferson in the county of Jackson and for other purposes.

A bill to incorporate the Etowah Gold Mining Company Company of Georgia.

A bill to amend the charter of the Princeton Factory.

A bill for the relief of Meritt Camp, of the county of Gwinnett.

A bill to incorporate the John King Banking Company, of Columbus, and the City Banking Company of Macon, Georgia.

A bill to change the 7th paragraph of the 1711th section of the divorce law

A bill to incorporate the Savings Bank of Atlanta.

A bill to change the time of holding the fall term of the Superior Court of Dawson county.

A bill to change the time of holding the Superior Court of the county of Marion.

A bill to prohibit the sale of lottery tickets in the State of Georgia.

A bill to relieve R. L. Rogers of the county of Bartow.

A bill to prescribe the oath to be administered to voters for the electors of President and Vice President of the United States, Governor, members of Congress, members of the General Assembly and county officers.

A bill to incorporate the Southern Life Insurance Company.

A bill to provide for the payment of the interest now due, and to mature on the bonds of the State, for the fiscal year 1868.

A bill to change the county line between the counties of Macon and Taylor.

A bill to be entitled an act to incorporate the town of Hogansville, in the county of Troup, and for other purposes.

A bill to validate the charter of St. Marys, Georgia.

A bill to repeal an act to extend the provisions of the act to amend the several acts now in force regulating the fees of magistrates and constables in the State of Georgia, so far as relates to the counties of Bibb, Richmond, Monroe and Lee, and to provide for the mode of collecting the same, approved January 22d, 1852, to the county of Fulton,

approved March 1st, 1856, so far as said act applies to the county of Fulton.

A bill to change the line between the counties of Cherokee and Pickens, so as to include all of William Dowd's plantation, in the county of Cherokee.

A bill to incorporate the town of Homerville, in the county of Clinch, and for other purposes.

A bill to incorporate the Wilmington Railroad Company.

A bill to authorize and require the trustees of the University of Georgia to provide a college for the benefit of agriculture and the mechanic arts in the State of Georgia.

A bill to authorize the auditor of the Western and Atlantic Railroad, to pay T. C. McCreary one hundred dollars per quarter from the treasury of said road.

A bill to amend an act entitled an act to incorporate the Rome Mutual Insurance Company of Rome, Georgia and for other purposes.

The Senate took up as the report of the Committee of the Whole, the bill to alter and amend the charter of the city of Americus.

Pending consideration, on motion of Mr. Adkins, the Senate adjourned until to-morrow morning at nine o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

FRIDAY, October 2, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Hinton, Honorable Senator from the 24th District.

The roll was called, and the Journal of the previous day read and approved.

Mr. Bowers, in accordance with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to incorporate the Gainesville, Dahlonga and Ducktown Railroad Company, which motion was agreed to.

Mr. Richardson offered the following amendment, which was adopted, to-wit: Insert, after the word "garanteed," in section four, the words "privileges as granted in the charter of the Air Line Railroad in the year 1856."

The question was put upon the passage of the bill, as amended, and the bill, as amended, was passed.

Mr. Nunnally, in conformity with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the resolution authorizing the Governor to accept the surrender of the charter of the banks in this State.

After debate, Mr. Griffin, of the 21st District, called for the previous question, which being sustained, the main question was ordered upon the motion to reconsider, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Anderson,	Hungerford,	Richardson,
Graham,	Lester,	Smith, 7th Dst.
Gignilliat,	Nunnally,	

Those who voted in the negative are, Messrs :

Adams,	Griffin, 21st Dist.	Sherman,
Adkins,	Harris,	Smith, 36th Dist.,
Bowers,	Hinton,	Stringer,
Bruton,	Jordan,	Wellborn,
Burns,	Merrill,	Welch,
Colman,	McCutchen,	Winn.
Collier,	Moore,	Wooten.
Corbitt,		

Yeas 8 ; nays 22. So the motion to reconsider did not prevail.

Mr. Harris from the Finance Committee, made the following report:

Mr. President : The Committee on Finance, to whom was referred a bill for the raising of a revenue for the latter half of the political year 1868, and to appropriate money for the support of the government during said half year, and to make certain special appropriations, and for other purposes, have had the same under consideration, and propose to amend the 12th section, by striking out all after the word "sum," in the first line, to the word "Representatives," in the second line, so that the section shall only embrace the sum of one hundred dollars each to the pages of Senate and House of Representatives.

To amend section eighteen, by striking out the words "five hundred," in the first line, and insert the words "three hundred," and in the second, to strike out the words "seventeen hundred and fifty," and insert "eight hundred."

To amend the twenty-first section, the following—"that

the sum of one hundred and fifty dollars be paid to W. R. Gordon for services as messenger during the sickness of the messenger, in addition to his salary as page of the Senate."

Also, to add to the twenty-second section the following: "Said sum to be paid out of taxes to be collected, and hereafter no new students to be received, and with these amendments, the committee recommend the bill do pass.

Also, a bill to authorize an advance of payment to J. W. Burke, State Printer, for the present session of the General Assembly, which they recommend do pass.

JOHN HARRIS,
Chairman.

Mr. Smith, Chairman of a joint committee who were appointed to examine into the condition of officers, books, papers, rolling stock, etc., of the Western and Atlantic Railroad, made the following report:

Mr. President: The joint committee, who were appointed to examine into the condition of officers, books, papers, rolling stock, etc., of the Western and Atlantic Railroad, have entered upon that duty, and made partial investigations. After having traveled up and down the road, we find the duties necessary to be performed will require more time in order to make a full and thorough report than we, your committee, can, in justice to our constituency, afford to devote during the sitting of the Legislature, and from information gained, we deem it highly essential that the investigation be made in compliance with the special request of the incoming as well as the ex-officers of the road, and the committee respectfully ask that they be allowed more time to make a more thorough investigation, and report at the next session of the Legislature.

W. C. SMITH,
Chairman.

On motion, the report was taken up and adopted.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem*:

Mr. President: The House of Representatives have passed the following Senate bills, to-wit:

A bill to incorporate the town of Grantville, in the county of Coweta, and for other purposes.

A bill of incorporation of the Georgia Fire and Marine Insurance Company.

Also, the following House bills, to-wit:

A bill to incorporate the Georgia Land and Immigration Company.

Also, a bill for the relief of John Sligh, James Sligh, and Robert Hendrick, and their securities, Dempsey F. Bishop and John Sligh.

Also, a bill to prevent injury to or destruction of growing crops in enclosed fields, in this State, by persons fishing or hunting game in the same without the consent of the owner or occupier of such fields.

Also, a bill to incorporate the Dublin Manufacturing Company, and to confer certain privileges thereon.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President: The Committee on Enrollment, report as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following act, to-wit :

An act to authorize the Macon and Brunswick Railroad Company to extend a branch of said railroad from the town of Hawkinsville, in Pulaski county, to the town of Fort Valley, in the county of Houston.

E. I. HIGBEE,
Chairman.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem* :

Mr. President: The House of Representatives have adopted the following resolution, to-wit :

A resolution to extend the time for completing the public printing.

The House of Representatives have also passed the following Senate bills, to-wit :

A bill to incorporate the Georgia Loan and Trust Company.

Also, a bill to incorporate the Hightower Manufacturing and Mining Company, and for other purposes.

Also, a bill to incorporate the White Manufacturing Company, of Elbert county.

A bill declaring Cary J. Thornton eligible to the office of Solicitor General.

Also, a bill to make uniform all election tickets used at elections in this State.

Also, a bill to increase the fees of the sheriff of Jones county.

Also, a bill to incorporate the Auraria, Etowah and Camp Creek Mining Company, of Lumpkin county, Georgia.

The following message was received from the House of Representatives, though Mr. Carrington, their Clerk, *pro tem* :

Mr. President: The House of Representatives have passed the following Senate bills, to-wit:

A bill to alter and amend the 4322d section of Irwin's Code, changing penalty of burglary in the night from death to penitentiary offense.

Also, a bill for the relief of Andrew Gay, of Emanuel county, Georgia.

Also, a bill to amend the charter of the Macon and Augusta Railroad Company.

Also, a bill to amend the 3604th of the Revised Code of Georgia.

Also, a bill for the relief of Hamlin Hudgens, of DeKalb county, security on the bond of John Hudgens, indicted at the March term, 1868, of the Superior Court of Gwinnett county, Georgia, for larceny.

Also, a bill to amend the charter of the city of Albany.

Also, a bill to incorporate the Macon Street Railroad Company, and for other purposes.

A bill to organize a criminal court for each county of this State.

The above bill passed with amendments, in which they ask the concurrence of the Senate.

Also, the following House bill, to-wit:

A bill to incorporate the Atlantic Mutual Insurance Society.

The Senate took up the special order of the day, the same being the House bill to loan the credit of the State to the Savannah, Griffin, and North Alabama Railroad Company.

After debate, Mr. Speer called for the previous question, which being sustained the main question was ordered upon the passage of the bill, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs:

Adams,	Gignilliat,	Richardson,
Adkins,	Jones,	Sherman,
Anderson,	Lester,	Smith, 7th Dist.,
Bruton,	Merrill,	Smith, 36th Dist.,
Colman,	Moore,	Speer,
Graham,	Nunnally,	Wellborn.

Those voting in the negative are, Messrs:

Bowers,	Griffin, 21st Dist.,	Hungerford,
Burns,	Harris,	McCutchen,
Corbitt,	Higbee,	Welch,
Dickey,	Hinton,	Winn.

Yeas 18; nays 12. So the bill was passed.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report:

Mr. President: The Committee on Enrollment, report as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following acts and resolutions, to-wit:

An act to appropriate a fund for the burial of the Confederate dead, who may be within the limits of this State.

An act to fix the time for holding elections for Representatives to Congress from this State.

An act to levy and collect a tax for the support of the Government for the year 1868, and for other purposes.

A resolution ratifying the sale of the court house and jail lots in the county of Bibb.

An act to authorize an advance of payment to J. W. Burke, State Printer, for the present session of this General Assembly.

A resolution authorizing and requesting His Excellency, the Governor, to take possession of, and receipt for, all bonds and currency now in the hands of agents heretofore authorized to have and hold said bonds.

E. I. HIGBEE,
Chairman.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem*.

Mr. President: The House of Representatives have passed the following bills, to-wit:

A bill to revise and amend an act, entitled an act, for the building and construction of a railroad from the town of Athens, to or near the town of Clayton, in Rabun county.

Also, to extend the Thomaston and Barnesville Railroad to Geneva, or some other point on the Muscogee Railroad, and for other purposes.

A bill to incorporate the Cavender's Creek Hydraulic Hose Mining Company.

A bill to alter and amend an act to regulate the manner of giving in lands for taxation and the sale and redemption

thereof, and for other purposes, assented to 12th December, 1868.

A bill to authorize the land owners on Board Creek, in the counties of Liberty and Tatnall, to remove obstructions from the same, and for other purposes.

A bill to define the mode of conducting suits before justices of the peace and notaries public in this State, and for other purposes.

A bill to authorize the ordinaries of this State to appoint arbitrators in certain cases.

A bill to incorporate the Wahoo Mining and Manufacturing Company, and for other purposes.

A bill to incorporate the Georgia Fertilizer Manufacturing Company.

A bill to enable the owners of mines to draw water from branches or other head waters, through or over intervening lands.

A bill to amend an act, to incorporate the Pioneer Hook and Ladder Company in the town of Athens, and to incorporate the Atlanta Hook and Ladder Company, No. 1, in the city of Atlanta, and for other purposes.

A bill to incorporate the Camilla and Cuthbert Railroad Company.

A bill for the relief of Nancy Jones, of Paulding county, etc.

A bill to change the line between the counties of Pickens and Cherokee.

A bill to establish game laws for Fulton county.

A bill for the relief of A. Lewis and brothers, of the county of Upson.

A bill to incorporate the town of Thomaston in the county of Upson, and appoint commissioners for the same, and for other purposes.

A bill to regulate the fees of the Solicitors General, and the other officers of court.

A bill to alter and amend an act, to change the place of holding legal sales in the county of Muscogee.

A bill to change the line between the counties of Pickens and Dawson.

A bill to provide for completing the administration and settlement of the estate of Willis J. Whatley, late of Troup county, deceased.

A bill to change the time of holding the Superior Court for the county of Macon.

A bill to incorporate the Albany and Columbus Railroad Company.

They have also concurred in the following Senate bills, to-wit:

A bill to extend the aid of the State to the Macon and Augusta Railroad Company.

A bill to incorporate the Turtle River and Scriven Railroad Company.

A bill to exempt from jury duty certain members of the fire companies in the city of Albany, and the Merchants and Mechanics Fire Company of the city of Milledgeville.

They have also adopted the following resolution, to-wit :

A resolution for the relief of James Holliman, tax collector of the county of Upson.

The House has also concurred in the amendment of the Senate to the House bill, entitled an act to authorize the Macon and Brunswick Railroad Company to extend a branch of said railroad from the town of Hawkinsville, in the county of Pulaski, to the town of Fort Valley, in the county of Houston ; to apply the rights, privileges and restrictions contained in the several acts of incorporation and amendments thereof to said branch, as are now conferred by the acts aforesaid on the Macon and Brunswick Railroad Company.

They have also passed the following Senate bill, to-wit :

A bill to incorporate the Griffin Loan, Trust and Savings Institution.

The following message was received from the House of Representatives through Mr. Hardin their clerk.

Mr. President: The House of Representatives have passed the following bills, to-wit :

A bill to define the duties, and liabilities of all Insurance Companies transacting business in this commonwealth, except the Georgia Masonic Mutual Life Insurance Company, and Mason's Daughters Mutual Aid Society.

A bill to incorporate the Eatonton, and Madison Railroad Company.

A bill to amend the Penal Code of this State ; also, the following Senate bills, to-wit :

A bill to incorporate the Southern Life Insurance Company.

A bill to incorporate the Georgia Masonic Mutual Life Insurance Company.

A bill to incorporate the Peoples' Mutual Life Insurance Company of Georgia.

A bill to incorporate the Chattahoochee Manufacturing Company, and for other purposes.

A bill to alter, and amend the 4330th section of Irwin's Code.

A bill to authorize the sale of the real estate of the Fletcher Institute.

A bill to increase the capital, and define the powers of the Georgia Railroad and Banking Company

A bill to legalize certain marriages and relieve the parties thereto from pains and penalties.

A bill to change the line between the counties of Randolph, and Terrell.

A bill to define the duties, and liabilities of Foreign Insurance Companies.

On motion the rules were suspended, and the Senate took up the House bill to authorize an advance payment to J. W. Burke, State Printer, for the present session of the General Assembly.

The Finance Committee to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion of Mr. Harris, the Senate took up the report of the Committee on Finance to whom was referred the bill of the House to raise revenue and appropriate money, etc.

On motion the bill was taken up by sections.

Section first was taken up, Mr. Burns moved to amend the same by striking out the words "two clerks" in the sixth line, and inserting the words, "three clerks" in lieu thereof, which was agreed to.

Mr. Hinton, moved to strike out in the 11th line the words "State Attorney, and," which motion prevailed.

The question was then put upon the adoption of section first, as amended, and the same as amended was agreed to.

Section second was taken up, Mr. Burns moved to strike out the same, which was not agreed to.

The question was put upon the adoption of section second, which was agreed to.

Section third, was taken up and adopted.

Section four was taken up, and Mr. Nunnally, proposed the following amendment, which was agreed to, to-wit:

After the word "Representatives" in the 10th line and "Senators" insert the words, "except the Senator from the 1st District."

The question was put upon the adoption of section four, as amended, which was agreed to..

Section five was taken up.

Mr. Candler moved to amend by inserting the following, which was agreed to, to-wit:

"And the further sum of fifty dollars be paid J. R. Alexander, for services rendered on the Senate Committee, appointed to inquire into the eligibility of Senators under the resolution of the Senate."

Mr. Nunnally proposed the following amendment, to-wit
“That the sum of one hundred dollars be paid G. W. Speer, for services rendered in the case of the ineligibility of A. A. Bradley, as Clerk for the Committee.

Also, the sum of sixty-four dollars and fifty cents, be appropriated to Josiah P. Brooke, a witness sent for by the Special Committee appointed to investigate the eligibility of A. A. Bradley, to reimburse him for expenses in attending on the committee.”

On motion the amendment was adopted.

Mr. Speer proposed the following amendment, which was agreed to, to-wit :

“And the sum of twenty-seven dollars be appropriated to W. H. DeLyon, for services rendered as door keeper of the Senate, at the commencement of the session.”

The question was put upon the adoption of section five, as amended, and the same as amended was agreed to.

Sections six and seven were taken up and adopted.

Section eight was taken up.

Mr. Candler proposed the following amendment, which was adopted, to-wit :

“Also, the sum of ten thousand dollars, or so much thereof as may be necessary to pay first quarter’s salary of the year 1868, of such officers of the civil establishment, who have not heretofore been paid.”

The question was put upon the adoption of section eight, as amended, which was agreed to.

Section nine was taken up and adopted.

Section ten was taken up.

Mr. Smith, of the 36th District, proposed to amend by striking out the words “six thousand,” and insert in lieu, the words “eight thousand,” which was agreed to.

On motion, section ten as amended was adopted.

Section eleven was taken up.

Mr. Speer moved to strike out the words “four thousand” and insert the words “five thousand” in lieu thereof, which was agreed to.

On motion, the section as amended was agreed to.

Section twelve was taken up.

Mr. Bruton moved to amend by inserting the following :

“That five dollars per day be allowed W. R. Gordon, as Page of the Senate, as he has acted as Assistant Messenger a part of the time.

On motion, the Senate adjourned until three o’clock P. M.

THREE O'CLOCK, P M.

The Senate met pursuant to adjournment, and was called to order by the President.

The question was put upon the amendment as proposed by Mr. Bruton, and the same was agreed to.

On motion of Mr. Smith, of the 7th District, the word "chaplain" was stricken out.

Mr. Nunnally proposed the following as a substitute for section twelve, which was agreed to, to-wit :

"That the sum of five dollars per day, during the session be paid to W R. Gordon, Page of the Senate, who has acted as Messenger during the sickness of the elected Messenger of the Senate, and the sum of one hundred dollars apiece be paid to the Pages of the House of Representatives."

The question was then put upon the adoption of section twelve as amended, and the same as amended was agreed to.

Section thirteen was taken up and adopted.

Section fourteen was taken up.

Mr Candler moved to strike out the same.

After debate, Mr. Nunnally called for the previous question, which being sustained, the main question was ordered upon the motion to strike out, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adams,	Colman,	McArthur,
Adkins,	Collier,	McCutchen,
Anderson	Graham,	Nesbitt,
Bowers,	Griffin, 21st Dist.,	Sherman,
Bruton,	Gignilliat,	Welch.
Candler,	Lester,	

Those voting in the negative, are Messrs :

Burns,	Jordan,	Smith, 36th Dist.
Fain,	McWhorter,	Speer,
Higbee,	Nunnally,	Stringer,
Hinton,	Richardson,	Wellborn.
Jones,	Smith, 7th Dist.	

Yeas, 17 ; nays, 14. So section fourteen was stricken out.

Section fifteen was taken up. Mr. Candler, moved to strike out the same.

Mr. Speer, offered the following amendment which was adopted, to-wit: And the sum of five hundred dollars to J.

G. W. Mills, Journalizing Clerk of the Senate, and the sum of five hundred dollars to H. F. Merrill, Journalizing Clerk of the House, as additional compensation.

The question was ordered, upon the motion, to strike out section fifteen, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adams,	Colman,	McArthur,
Adkins,	Collier,	McCutchen,
Anderson,	Graham,	Nesbitt,
Bruton,	Gignilliat,	Sherman.
Candler,	Lester,	

Those voting in the negative, are Messrs :

Burns,	Hinton,	Smith, 7th District,
Corbitt,	Hungerford,	Smith, 36th Dist.,
Dickey,	Jones,	Speer,
Fain,	Jordan,	Stringer,
Griffin, 6th Dist.,	Merrill,	Wellborn,
Griffin, 21st Dist.,	McWhorter,	Welch.
Higbee,	Richardson,	

Yeas, 14; nays, 20. So the motion to strike out section fifteen, was lost.

The question recurred upon the adoption of section fifteen as amended, and the same as amended was adopted.

Sections sixteen and seventeen were taken up and adopted.

Mr. McArthur offered the following amendment which was adopted, to-wit: *Provided*, that a bill of items is submitted to the Auditing Committee and by them approved. Section eighteen as amended was adopted.

Section nineteen was taken up.

Mr. Higbee, moved to strike out the word "Treasurer," and insert the word "Tanner," in lieu, which was agreed to.

Section twenty was taken up.

Mr. Candler proposed the following amendment which was adopted, to-wit: That the sum of one hundred and forty-three dollars be appropriated to pay R. L. Rhodes, Superintendent Georgia Railroad, for transportation of maimed soldiers to and from the factory of artificial limbs, as provided for in acts of 1866.

Mr. Nunnally proposed the following amendment which was not agreed to, to-wit:

That W. R. Elder, ——— Camp, of Whitfield county, who lost their sight in the Confederate service, be paid the sum of two hundred dollars, and the Governor upon the application of the parties, be requested to draw his warrant for the amount.

Mr. Griffin, of the 21st District, proposed the following amendment which was lost, to-wit :

To pay W. C. Gouake, of Quitman county, a maimed soldier who lost his arm at Pensacola, the sum of seventy dollars, the price of a limb, and the further sum of fourteen dollars, the price of transportation from Georgetown, Quitman county, to Macon and return.

Mr. Griffin, of the 21st District, proposed the following amendment which was adopted, to-wit :

That the Hon. W. T. McCullough, be and he is hereby appointed to receive and receipt for the per diem and mileage due W. A. Ballard, deceased member of the House of Representatives ; that Hon. James Harrison, be and he is hereby appointed to receive and receipt for the per diem and mileage due Hon. J. B. Moon, deceased member of the House of Representatives.

Mr. Bruton offered the following as an additional section, to-wit :

That the sum of six thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the purpose of settling judgments against the State for services rendered and medicines furnished in small pox cases, under acts of December 11th, 1862, and April 17th, 1863.

The question was put upon the adoption of the additional section as proposed by Mr. Bruton, which was not agreed to. On motion, the section as amended, was agreed to.

Section twenty-one was taken up, Mr. Burns moved to strike out the word "five" before the word dollars, and insert in lieu, the words "two and a half" which was not agreed to. Section twenty-one was then adopted.

Section twenty-two was adopted.

Mr. Merrill, offered the following as an additional section, which was agreed to, to-wit :

"That the several appropriations made by this act, except herein otherwise specially provided for, shall be paid in national currency "

The question then recurred upon the passage of the bill, as amended, and the bill as amended, was passed.

The following message was received from the House of Representatives, through Mr. Carrington their Clerk, *pro-tem*.

Mr. President : The House of Representatives have passed the following Senate bills, to-wit :

A bill to fix the compensation for taking down in writing the evidence on charges of felony.

Also, a bill to authorize executors and administrators, residents of any other State of the United States, to sell and convey real estate of their testators or intestates recovered by

suit at law in this State by said executors or administrators under the same rules and regulations as are now prescribed for executors and administrators residents of this State.

A bill to incorporate the Georgia and Alabama Life Insurance Association.

Also, a bill to amend the 2489th paragraph of the new Code of Georgia, and to allow securities on administrators bonds to make returns in certain cases.

The following bills of the House of Representatives were taken up, and severally read the second time, and referred to the Committee of the Whole, to-wit:

A bill to prohibit the sale of lottery tickets in the State of Georgia.

A bill to allow practicing attorneys to administer oaths in certain cases.

A bill to authorize the auditor of the Western and Atlantic Railroad to pay T. C. McCreary, one hundred dollars per quarter from the treasury of said Road.

A bill to incorporate the Wilmington Railroad Company.

A bill to repeal an act to extend the provisions of the act to amend the several acts now in force regulating the fees of magistrates and constables, in the State of Georgia, so far as relates to the counties of Bibb, Richmond, Monroe and Lee, and to provide for the mode of collecting the same, approved January 22d, 1852, to the county of Fulton, approved March 1st, 1856, so far as the said act applies to the county of Fulton.

A bill to incorporate the town of Homerville, in the county of Clinch, and for other purposes.

A bill to change the line between the counties of Cherokee and Pickens, so as to include all of Wm. Dowd's plantation in the county of Cherokee.

A bill to validate the charter of St. Marys, Georgia.

A bill to incorporate the town of Hogansville, in the county of Troup, and for other purposes.

A bill to change the county line between the counties of Macon and Taylor.

A bill to provide for the payment of the interest now due and to mature on the bonds of the State for the fiscal year, 1868.

A bill to prescribe the oath to be administered to voters for electors of President and Vice President of the United States Government, State Governor, members of Congress, members of the General Assembly, and county officers.

A bill to incorporate the Southern Life Insurance Company.

A bill to relieve R. L. Rodgers, of the county of Bartow.

A bill to change the time for holding the Superior Courts in the county of Marion.

A bill to incorporate the Savings Bank of Atlanta.

A bill to amend an act entitled an act to incorporate the Rome Mutual Insurance Company, of Rome, Georgia, and for other purposes.

A bill to change the time of holding the fall term of the Superior Court of Dawson county.

A bill to change the 7th paragraph of 1711th section of divorce law.

A bill to amend the charter of the Princeton Factory.

A bill to incorporate the town of Jefferson, in Jackson county, and for other purposes.

A bill to amend the charter of the Atlanta Street Railroad Company, to change its name, to confer banking powers on the same, and for other purposes.

A bill for the relief of Merrit Camp, of the county of Gwinnett.

A bill to incorporate the Etowah Gold Mining Company, of Georgia.

A bill to incorporate the Georgia and Alabama Steamboat Company.

A bill for the relief of Rachel Box, of the county of Clinch.

A bill to amend an act to incorporate the town of Barnesville, in Pike county, and to point out the mode of electing commissioners and other officers, and for other purposes.

A bill to authorize the Universal Life Insurance Company of New York, to make investments in the State of Georgia, and for other purposes.

A bill for the relief of Jane E. Simms, and to constitute her a *feme sole* as to all her separate property.

The following bill of the House of Representatives was taken up and read the second time, and referred to the Committee on Banks, to-wit :

A bill to incorporate the John P King Banking Company of Columbus, and the City Banking Company of Macon, Georgia.

The following bills of the House of Representatives were taken up and severally read the first time, to-wit :

A bill to incorporate the Auraria, Etowah, and Camp Creek Mining Company of Lumpkin county, Georgia.

A bill to increase the fees of the sheriffs of Jones county.

A bill to make uniform all elections in this State.

A bill to incorporate the town of Thomaston, in the

county of Upson, and appoint commissioners for the same, and for other purposes.

A bill to incorporate the Eatonton and Madison Railroad Company

A bill to amend the Penal Code of this State.

A bill to incorporate the Atlanta Mutual Insurance Society.

A bill to change the terms of the Superior Court for the county of Macon.

A bill to prevent injury to or destruction of growing crops in enclosed fields in this State by persons fishing or hunting game in the same, without the consent of the owner or occupier of such fields.

A bill to incorporate the Albany and Columbus Railroad Company.

A bill to incorporate the Cavenders Creek Hydraulic Hose Mining Company.

A bill for the relief of John Sligh, James Sligh and Robert Hendrick, and their securities, Dempsey F Bishop and John Sligh.

A bill to incorporate the Georgia Land and Immigration Company.

A bill to incorporate the Georgia Fertilizer Manufacturing Company.

A bill for the relief of A. Lewis and brothers, of the county of Upson.

A bill to establish game laws for Fulton county

A bill to change the lines between the counties of Pickens and Cherokee.

A bill for the relief of Nancy Jones of Paulding county, etc.

A bill to amend an act to incorporate the Pioneer Hook and Ladder Company in the town of Athens, and to incorporate the Atlanta Hook and Ladder Company, Number 1, in the city of Atlanta, and for other purposes.

A bill to incorporate the Camilla and Cuthbert Railroad Company.

A bill to provide for completing the administration and settlement of the estate of Willis J. Whatley, late of Troup county, deceased.

A bill to regulate the fees of the Solicitor General and other officers of Court.

A bill to alter and amend an act to regulate the manner of giving in lands for taxation, and the sale and redemption thereof, and for other purposes assented to 12th December, 1866.

A bill to define the duties and liabilities of all Insurance

Companies transacting business in this Commonwealth, except the Georgia Masonic Mutual Life Insurance Company, and Masonic Daughters' Mutual Aid Society.

A bill to change the line between the counties of Pickens and Dawson.

A bill to alter and amend an act to change the place of holding legal sales in the county of Muscogee.

A bill declaring Cary J Thornton eligible to the office of Solicitor General.

A bill to authorize the ordinaries of this State to appoint arbitrators in certain cases.

A bill to incorporate the Wahoo Mining and Manufacturing Company, and for other purposes.

A bill to enable the owners of mines to draw water from branches or other head waters through or over intervening lands.

A bill to define the mode of conducting suits before Justices of the Peace, and Notaries Public, in this State, and for other purposes.

A bill to revive and amend an act entitled an act, for the building and construction of a railroad, from the town of Athens, to or near the town of Clayton, in Rabun county

Also to extend the Thomaston and Barnesville Railroad to Geneva, or some other point on the Muscogee Railroad, and for other purposes.

A bill to authorize the land owners on Board Creek, in the counties of Liberty and Tatnall, to remove obstructions from the same, and for other purposes.

A bill to incorporate the Dublin Manufacturing Company and to confer certain privileges thereon.

A bill to authorize and require the trustees of the University of Georgia, to provide a college for the benefit of agriculture and the mechanic arts in the State of Georgia.

On motion, the Senate adjourned until to-morrow morning at nine o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

SATURDAY, October 3d, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Smith, Honorable Senator from the 7th District.

The roll was called, and the Journal of the previous day read, and approved.

Mr. Hinton, in conformity with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate, on the bill of the House, to raise revenue and appropriate money, etc.

On motion, the bill was taken up and read by sections.

Mr. Candler moved to amend section first by striking out the words "three secretaries," and insert the words "two secretaries," in lieu thereof, which was agreed to.

On motion, section first as amended, was adopted.

Mr. Burns moved to strike out section second, which was not agreed to.

Section second was then adopted.

Sections third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth were taken up and adopted.

Section thirteen was then taken up.

Mr. Speer moved to strike out the words, "Clerk in the office of Secretary of State," which was agreed to.

Section fifteen was taken up.

Mr. Winn moved to strike out the same, which was not agreed to.

Mr. Hinton moved to amend as follows: "And the sum of five hundred dollars, to S. B. Cleghorn, Clerk in the House, as additional compensation, and that the Governor be authorized to draw his warrant for the same.

Mr. McArthur moved to amend further as follows: "And the sum of five hundred dollars to R. B. Knight, Clerk of the Senate, as additional compensation."

Mr. Wellborn, proposed the following, as a substitute to-wit: "That the sum of two hundred dollars, each, be allowed to S. B. Cleghorn, R. B. Knight and B. H. Miller, as additional compensation."

The question was put upon the substitute of Mr. Wellborn, which was not agreed to.

The question then recurred upon the motion of Mr. Hinton, as amended by Mr. McArthur, which was adopted.

Upon the adoption of section fifteen, as amended, the yeas and nays were required to be recorded.

Those voting in the affirmative are Messrs :

Burns,	Jones,	Richardson,
Dickey,	Jordan,	Smith, 7th Dist.,
Fain,	Lester,	Smith, 36th Dist.,
Gignilliat,	McArthur,	Speer,
Hinton,	McWhorter,	Wellborn,
Hungerford,	Nunnally,	Mr. President.

Those voting in the negative, are Messrs :

Adams,	Colman,	McCutchen,
Adkins,	Collier,	Nesbitt,
Anderson,	Corbitt,	Sherman,
Bowers,	Graham,	Stringer,
Bruton,	Griffin, 21st Dist.,	Winn.
Candler,	Higbee,	

Yeas, 18 ; nays, 17. So section fifteen as amended, was adopted.

Section sixteen, seventeen, eighteen, nineteen, and twenty were taken up, and adopted.

Section twenty-one was taken up.

Mr. Speer, offered the following amendment, which was lost to-wit :

“That General Ruger, late Provisional Governor, Charles F. Rockwell, late Provisional Treasurer, and C. W. Wheaton, Provisional Secretary of State, and Comptroller General be allowed the regular pay for these several officers during the time they acted as such, and that the Governor draw his warrant upon the Treasurer for the same.

The question was put upon the adoption of section twenty-one, which was agreed to.

Section twenty-second was taken up, and adopted with the following amendment; to-wit : “Said sum to be paid out of taxes to be collected, and hereafter no new students to be received.”

Mr. Wellborn proposed the following, as section twenty-third, which was not agreed to, to-wit :

“*Be it further enacted*, That the Enrolling and Engrossing Clerks in the Senate, allowed by the Constitution, and G. W. Merrill, Calender Clerk, in the Senate be, and they are hereby, allowed the same mileage, as members of the General Assembly are now allowed.”

The question was then put upon the passage of the bill, as amended, and the bill as amended, was passed.

The Senate took up the message of the House on the bill to amend the charter of the city of Albany.

On motion the Senate concurred in the amendment, as proposed by the House.

The Senate took up the message of the House on the bill to organize a Criminal Court for each county of this State.

Upon the motion to concur, in that part of the amendment of the House, proposing to strike out the words "county town" and insert in lieu, the words "militia district" in section first; the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs.

Adkins,	Dickey,	McWhorter,
Bowers,	Griffin, 21st Dist.,	Richardson,
Burns,	McArthur,	Smith, 7th Dist.,
Corbitt,	McCutchen,	Stringer.

Those voting in the negative, are Messrs :

Adams,	Higbee,	Nesbitt,
Bruton,	Hinton,	Nunnally,
Candler,	Jones,	Sherman,
Colman,	Jordan,	Smith, 36th Dist.,
Collier,	Lester,	Wellborn,
Fain,	Merrill,	Winn.
Graham,		

Yeas, 12; Nays, 19. So the Senate refused to concur.

The Senate then concurred in that part of the amendment, as proposed by the House, as follows, to-wit:

After the words "notary public" insert the words, "appointed by the Governor."

On motion, the Secretary was directed to transmit the bill forthwith to the House, with the action of the Senate thereon.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the town of Colquitt.

The report of the committee was agreed to, the bill read the third time and passed.

The Senate took up the bill of the House to change the lines between the counties of Green, Hancock, and Taliaferro.

On motion of Mr. Smith, of the 36th District, the word "exclude" in the 8th line, was stricken out, and the word, "include" was inserted in lieu.

Also, the word "Noel" on the 9th line was stricken out, and the word "Erasmus" substituted in lieu thereof.

The Committee on new Counties and County Lines to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, and the bill, as amended, was read the third time and passed.

The Senate took up, as the report of the Committee of the

Whole, the bill of the House to incorporate the town of Cochran, in Pulaski county, Georgia.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to increase the capital stock of the Wilcoxon Manufacturing Company to two hundred thousand dollars.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to amend an act entitled an act to incorporate the town of Marthasville, in the county of DeKalb, passed on the 23rd day of December, 1843, and also, to enlarge the boundary of said town, and to incorporate the same, under the name of the City of Atlanta, and to change the name of the town of Rome to the City of Rome.

The report of the Committee was agreed to, the bill read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the Cherokee Manufacturing Company of Floyd county, Georgia, and the Etowah Manufacturing Company of Bartow county, Georgia.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the Noontooty Mining and Manufacturing Company, and for other purposes.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to authorize the survey of lands in the 6th District of Habersham county, and for other purposes.

On motion, the bill was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to change the line between the counties of Clay and Calhoun.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the House bill to compel the collection of the unpaid tax due for the year 1867.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the

Whole, the House bill to create in the several counties of this State a board of commissioners of roads and revenue.

Mr. Speer moved to postpone the bill indefinitely, upon which the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adkins,	Griffin, 21st Dist.,	Sherman,
Burns,	Higbee,	Smith, 7th Dist.,
Candler,	Jones,	Smith, 36th Dist.,
Colman,	Jordan,	Speer,
Corbitt,	Merrill,	Stringer.
Dickey,	Richardson,	

Those voting in the negative, are Messrs :

Adams,	Gignilliat,	McWhorter,
Anderson,	Hinton	Nesbitt,
Bruton,	Lester,	Nunnally,
Collier,	McArthur,	Wellborn.
Fain,	McCutchen,	Winn.
Graham,		

Yeas 17 ; nays 16. So the bill was indefinitely postponed.

The following message was received from his Excellency the Governor, through Mr. deGraffenried, his Secretary, to-wit :

Mr. President : I am directed by the Governor to deliver to the Senate a sealed communication, which he respectfully asks to have considered in Executive session :

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk :

Mr. President : The House of Representatives have passed the following Senate bills, to-wit :

A bill to incorporate the Fort Valley Loan and Trust Company.

A bill to explain an act entitled an act to levy and collect a tax for the support of the government for the year 1868, and for other purposes.

A bill to incorporate the Central Georgia Mutual Life Insurance Company.

A bill to prescribe the mode of appointing Notaries Public, and to render valid their acts.

A bill to repeal an act to prescribe the mode of electing the Mayor and members of council of the City of Allanta.

A bill to incorporate the Warsaw Mining Company.

A bill to change the line between the counties of Calhoun and Early.

A bill to change the time for holding the Superior Courts in the Coweta Circuit.

A bill to authorize Martha W. Crew, of the county of Marion, to contract marriage, and for other purposes.

Also, the following House bill, to-wit:

To incorporate the Georgia Marble Works, and for other purposes therein specified.

On motion of Mr. Hungerford, the Senate went into Executive session, and after remaining some time therein, the doors were thrown open, and it transpired that the following appointment of his Excellency, the Governor, had been confirmed by the Senate, to-wit:

The Honorable William M. Sessions, of the county of Pierce, to be Judge of the Superior Courts of the Brunswick Circuit, for the term of four years from the twenty-first day of July, one thousand eight hundred and sixty-eight.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report:

Mr. President: The Committee on Enrollment report as duly enrolled and ready for the signatures of the President of the Senate, and Speaker of the House of Representatives, the following acts, to-wit:

An act to authorize executors and administrators, residents of any other State of the United States, to sell and convey real estate of their testators or intestates, recovered by suits at law in this State by said executors or administrators, under the same rules and regulations as are now prescribed for executors and administrators, residents of this State.

An act to incorporate the town of Grantville, in the county of Coweta, and for other purposes.

An act to change the line between the counties of Randolph and Terrell, so as to include the residence and farm of James W. Bone within the limits of Terrell county.

An act to incorporate the Georgia Fire and Marine Insurance Company.

An act to alter and amend the 4322 section of Irwin's Code, changing the penalty of burglary in the night, from death to imprisonment in the penitentiary.

An act for the relief of Hamlin Hudgens, of DeKalb county, security on the bond of John Hudgens, indicted at the March term, 1865, of the Superior Court of Gwinnett county, Georgia, for larceny.

An act to incorporate the Hightower Manufacturing and Mining Company, and for other purposes.

An act to amend the charter of the Macon and Augusta Railroad Company.

An act to extend the aid of the State to the Macon and Augusta Railroad Company.

An act to incorporate the White Manufacturing Company, of Elbert county.

An act to incorporate the Georgia and Alabama Life Insurance Association.

An act to incorporate the Griffin Loan, Trust and Savings Institution.

An act to define the duties and liabilities of foreign insurance companies, and their agents doing business in this State.

An act to amend the 2489th paragraph of the new Code of Georgia, and to allow sureties on administrators bonds to make returns in certain cases.

An act to alter and amend 4330th section of Irwin's Code, changing the penalty of horse stealing from death to imprisonment in the penitentiary.

A act to exempt from jury duty certain members of the fire companies in the city of Albany, and the Merchants and Mechanics Fire Company, of the city of Milledgeville.

An act to legalize certain marriages, and relieve the parties thereto from pains and penalties.

An act to incorporate the Turtle River and Scriven Railroad Company.

An act for the relief of Andrew Gay, of Emanuel county, Georgia.

An act to fix the compensation for the taking down, in writing, the evidence on charges of felony.

An act to authorize the sale of the real estate of the Fletcher Institute, and reinvest the proceeds of the said sale.

An act to increase the capital and define the powers of the Georgia Railroad and Banking Company.

E. I. HIGBEE,
Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have passed the following bills of the Senate, to-wit:

A bill to incorporate an insurance company in the city of Macon, Georgia, to be called the Cotton States Life Insurance Company.

A bill to provide for the manner and time of hearing and determining causes by writ of *quo warranto*.

A bill to change the terms of the Superior Court for the county of Macon.

A bill to alter and amend the 4487th section of Irwin's Code.

A bill to prevent the digging of ginseng in this State before the first day of September in each and every year, and to provide the penalty thereof.

On motion, the rules were suspended and Mr. Fain offered the following resolution which was adopted, to-wit :

Resolved, That the Secretary be authorized to employ additional clerks to finish the business of the present session, the pay of said clerks to begin from the time their services to the State commenced, to include services of clerks heretofore rendered and not fully authorized by previous resolutions.

The Senate took up as the report of the Committee of the Whole, the bill of the House to amend an act to educate the indigent maimed soldiers of Georgia.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to amend the four thousand eight hundred and thirteenth section of the Revised Code of Georgia, to extend the criminal jurisdiction of the City Court of Savannah, and for other purposes.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up the bill of the House to appoint out the mode of paying the fees of the Solicitor General of the Eastern Judicial Circuit of Georgia, and for other purposes therein enumerated.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, the Senate bill for the relief of Daniel Sanders, Ezekiel Mathews, and Young Johnson, of Crawford county.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill of the House to appropriate money for the Institution of the Deaf and Dumb, and for other purposes.

On motion, the words "eight thousand" were stricken out, and the words "twelve thousand" inserted in lieu.

The Committee on General Education to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill as amended, was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to grant certain rights and privileges to the Metropolitan Steam Fire Engine Company in the city of Savannah.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to deprive the Mayor and Marshal of the town of Valdosta, in Lowndes county, of any and all fees and to fix their salaries.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion of Mr Lester, the following House bills passed by the Senate, were ordered to be transmitted forthwith to the House, to-wit :

A bill to point out the mode of paying the fees of the Solicitor General of the Eastern Judicial Circuit of Georgia, and for other purposes therein enumerated.

A bill to amend the 4813th section of the Revised Code of Georgia, to extend the criminal jurisdiction of the City Court of Savannah, and for other purposes.

On motion, leave of absence was granted to Senator Wooten for the day, on account of indisposition.

The Senate then adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment, and was called to order by the President.

The Senate took up, as the report of the Committee of the Whole, the bill of the House for the relief of Jane E. Simms, and to constitute her a *feme sole* as to all her separate property.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to change the line between the counties of Clinch and Coffee.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill of the House, to exempt maimed men of this State from paying poll tax.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

On motion, the report of the committee was disagreed to, and the bill was lost.

The Senate took up the bill of the House, to consolidate the office of Receiver of Tax Returns and Tax Collector for the county of Charlton.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

On motion, the report of the committee was disagreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to amend 3174th section of Irwin's Code, as relates to the county of Lowndes.

The report of the committee was agreed to and the bill was lost.

The Senate took up the bill of the House, to prohibit the sale of spirituous liquors in this State.

The Judiciary Committee, to whom this bill was referred, reported the same back with the following substitute which they recommend do pass, to-wit:

A BILL

To be entitled an act to carry into effect section eight of article the second of the Constitution, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly, That* from and after the passage of this act, it shall not be lawful for any person or persons to sell, loan or give, to any other person or persons on days of election, and at or within five miles of the place or places of holding such elections, any spirituous or intoxicating liquors of any kind or quality whatever, and any person or persons who shall violate the provisions of this section, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not exceeding five hundred dollars or imprisonment in the common jail of the county not exceeding two months, at the discretion the court.

SEC. 2d. *Be it further enacted by the authority aforesaid* That all conflicting laws be, and the same are hereby repealed.

The report of the committee was agreed to, and the bill as amended was read the third time and passed.

The Senate took up the bill of the House to change the line between the counties of Henry and Clayton.

The Committee on New Counties and County Lines, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill of the House to relieve Wm. S. Moughon, of the county of Bibb, from double tax on his Dougherty county plantation, for the year 1867

The Judiciary Committee to whom this bill was referred, reported in favor of its passage.

Upon agreeing to the report of the committee the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adams,	Dickey,	McWhorter,
Adkins,	Griffin, 21st Dist.,	Richardson,
Anderson,	Hinton,	Sherman,
Bowers,	Merrill,	Smith, 7th Dist.,
Candler,	McCutchen,	Wellborn.

Those voting in the negative, are Messrs :

Graham,	Lester,	Smith, 36th Dist.,
Gignilliat,	McArthur,	Winn.
Higbee,	Nunnally,	

Yeas, 15 ; nays, 8. So the report of the committee was agreed to ; the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives have passed the following bills, to-wit:

A bill to incorporate the Cherokee Manufacturing Company of Floyd county, Georgia.

Also, the following Senate bills, to-wit :

A bill to continue in office Judges of the Superior Courts in certain cases.

Also, a bill to incorporate the Spalding County Mutual Life Insurance Society.

Also, a bill to alter and amend section 5th, of the act incorporating the town of Weston.

Also, a bill for the relief of William F Attaway, as security.

Also, a bill to grant certain exemptions to certain members of the Stonewall Fire Engine Company, No. 1.

The Senate took up the bill of the House to prohibit the sale of lottery tickets in the State of Georgia.

Mr. Candler moved to lay the bill on the table, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are Messrs.

Adams,	Hinton,	McCutchen,
Candler,	Lester,	Nunnally,
Fain,	Merrill,	Smith, 36th Dist.
Gignilliat,	McArthur,	Wellborn.

Those voting in the negative, are Messrs :

Adkins,	Griffin, 21st Dist.,	Sherman,
Anderson,	Higbee,	Smith, 7th Dist.,
Bowers,	McWhorter,	Winn,
Dickey,	Richardson,	Mr. President.
Graham,		

Yeas 12 ; nays 13. So the motion to lay the bill on the table did not prevail.

Mr. Nunnally moved to postpone the bill indefinitely, whereupon the yeas were required to be recorded.

Those voting in the affirmative, are Messrs :

Adams,	Gignilliat,	McCutchen,
Candler,	Hinton,	Nunnally,
Collier,	Lester,	Smith, 36th Dist.,
Fain,	Merrill,	Wellborn.

Those voting in the negative, are Messrs :

Adkins,	Higbee,	Sherman,
Anderson,	McArthur,	Smith, 7th Dist.,
Bowers,	McWhorter,	Winn,
Dickey,	Richardson,	Mr. President.
Griffin, 21st Dist.		

Yeas 12 ; nays 13. So the motion to postpone the bill indefinitely was lost.

Mr. Lester proposed the following amendment, to-wit :

“Provided, That the provisions of this act shall not apply to the sale of lottery tickets for the benefit of the Masonic Orphans’ Home, authorized by act of the Legislature, approved 12th September, 1866.

After debate, the question was put upon the amendment of Mr. Lester, which was not agreed to.

The question was then put upon the passage of the bill, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adkins,	Graham,	McWhorter,
Anderson,	Griffin, 21st Dist.,	Richardson,
Bowers,	Higbee,	Sherman,
Collier,	Jones,	Smith, 7th Dist.,
Dickey,	Merrill,	Winn.

Those voting in the negative, are Messrs :

Adams,	Hinton,	Nunnally,
Candler,	Lester,	Smith, 36th Dist.,
Fain,	McArthur,	Wellborn.
Gignilliat,	McCutchen,	

Yeas, 15 ; nays, 11. So the bill was passed.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives have passed the following Senate bills to-wit:

A bill to relieve James N. Moss, a minor, of Thomas county.

Also, a bill to relieve Henry L. Carroll and Rebecca Mathis, of the county of Union.

Also, a bill for the relief of Davis P. Vickory, of Coweta county.

Also, a bill to repeal the last clause of section 584 of the Revised Code of Georgia.

Also, a bill to provide for the drawing of jurors in such counties in this State, and in such of the city courts as at the last term of said courts no jurors were drawn.

The following message was received from his Excellency the Governor, through Mr. deGraffenried, his Secretary, to-wit:

Mr. President: The Governor has signed the following act, to-wit:

An act, to provide for setting apart a homestead of realty etc.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have adopted the following Senate resolution, to-wit:

A resolution to authorize the Secretary of State to have the Great Seal of the State re-engraved and renewed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate Cedar Town.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to authorize the Universal Fire Company of New York, to make investments in the State of Georgia, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the House bill to change the law of evidence.

The Judiciary Committee, to whom this bill was referred reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to amend an act passed Novem-

ber 12th, 1866, amending the charter of the town of Sandersville, in the county of Washington, and to vest certain powers in the commissioners thereof.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill of the House to change the line between the county of Quitman and the county of Stewart.

The Committee on New Counties and County Lines to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to amend the several acts incorporating the town of Cartersville, in the county of Bartow, and to repeal all acts and part of acts in conflict with this act.

On motion, the bill was laid on the table for the present.

On motion, the rules were suspended and Mr. Fain offered the following resolution, to-wit:

Whereas, A vast amount of unfinished business has accumulated in the two branches of the General Assembly, which is ready for final action; and *whereas*, the work has been almost completed which consumed the time of the General Assembly for three months, and as it is a question of political economy that this business should be finished before the General Assembly adjourns, therefore be it

Resolved, That the General Assembly continue the present session until Saturday, the 10th of October, instant, and then adjourn at 12 o'clock M.

Mr. Wellborn, proposed to insert Thursday, the 8th inst., which was accepted.

Mr. Higbee, proposed to amend further, as follows:

That no new bill be introduced hereafter, except by unanimous consent.

The question was put upon the adoption of the resolution as amended by Mr. Higbee, which was agreed to.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have concurred in the first five amendments of the Senate to the General Appropriation bill—have amended the sixth amendment of the Senate thereto—also, amended the ninth amendment, and have concurred in all the other amendments of the Senate to said bill.

The following bills of the House of Representatives were taken up and severally read the second time, and referred to the Committee of the Whole, to-wit:

A bill to authorize land owners on Board Creek, in the counties of Liberty and Tatnall, to remove obstructions from the same, and for other purposes.

A bill to incorporate the Dublin Manufacturing Company and to confer certain privileges thereon.

A bill to define the mode of conducting suits before justices of the peace and notaries public in this State, and for other purposes.

A bill to revive and amend an act, entitled an act for the building and construction of a railroad from the town of Athens, to or near the town of Clayton, in Rabun county.

Also, to extend the Thomaston and Barnesville Railroad to Geneva, or some other point of the Muscogee Railroad, and for other purposes.

A bill to enable the owners of mines to draw water from branches or other head waters, through or over intervening lands.

A bill to incorporate the Eatonton and Madison Railroad Company.

A bill to incorporate the Wahoo Mining and Manufacturing Company, and for other purposes.

A bill to incorporate the Auraria, Etowah and Camp Creek Mining Company, of Lumpkin county, Georgia.

A bill to change the terms of the Superior Court for the county of Macon.

A bill to amend the Penal Code of this State.

A bill to increase the fees of the sheriffs of Jones county.

A bill to make uniform all election tickets used at elections in this State.

A bill to incorporate the town of Thomaston, in the county of Upson, and appoint commissioners for the same, and for other purposes.

A bill to incorporate the Atlanta Mutual Insurance Society.

A bill for the relief of John Sligh, James Sligh and Robert Hendrick, and their securities, Dempsey F Bishop, and John Sligh.

A bill to prevent injury to or destruction of growing crops in enclosed fields in this State, by persons fishing or hunting game in the same, without the consent of the owner or occupier of such fields.

A bill to incorporate the Cavenders Creek Hydraulic Hose Mining Company.

A bill to incorporate the Albany and Columbus Railroad Company.

A bill to incorporate the Georgia Land and Immigration Company.

A bill to incorporate the Georgia Fertilizer Manufacturing Company.

A bill to alter and amend an act to regulate the manner of giving in lands for taxation, and the sale and redemption thereof, and for other purposes, assented to December 1866.

A bill to change the line between the counties of Pickens and Cherokee.

A bill to establish game laws for Fulton county.

A bill to change the line between the counties of Pickens and Dawson.

A bill to authorize the ordinaries of this State to appoint arbitrators in certain cases.

A bill to regulate the fees of the Solicitors General and the other officers of court.

A bill to define the duties and liabilities of all Insurance Companies transacting business in this Commonwealth, except the Georgia Masonic Mutual Life Insurance Company, and Masons Daughters' Mutual Aid Society.

A bill to provide for completing the administration and settlement of the estate of Willis J. Whatley, late of Troup county, deceased.

A bill to alter and amend an act to change the place of holding legal sales in the county of Muscogee.

A bill declaring Cary J. Thornton eligible to the office of Solicitor General.

A bill to incorporate the Camilla and Cuthbert Railroad Railroad Company.

A bill to amend an act to incorporate the Pioneer Hook and Ladder Company, in the town of Athens, and to incorporate the Atlanta Hook and Ladder Company, No. 1, in the city of Atlanta, and for other purposes.

■ A bill for the relief of A. Lewis and brothers, of the county of Upson.

A bill for the relief of Nancy Jones, of Paulding county, etc.

A bill to incorporate the Georgia Marble Works, and for other purposes therein specified.

On motion, the Senate adjourned until Monday morning nine o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

MONDAY, October 5th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Mr. Spillman.

The roll was called and the Journal of Saturday read and approved.

Mr. Hinton, in accordance with previous notice, moved to reconsider so much of the Journal of Saturday as relates to the action of the Senate on the bill to create a board of commissioners of roads and revenue, which was not agreed to.

Mr. Harris, in conformity with previous notice, moved to reconsider so much of the Journal of Saturday as relates to the action of the Senate on the resolution extending the time of adjournment until Thursday.

After debate, Mr. Candler called for the previous question, which being sustained, the main question was ordered upon the motion to reconsider, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adams,	Dickey,	Merrill,
Adkins,	Griffin, 21st Dist.,	McWhorter,
Anderson,	Harris,	Nesbitt,
Bowers,	Higbee,	Smith, 36th Dist.,
Brock,	Hinton,	Stringer,
Colman,	Hungerford,	Welch.
Collier,	Jones,	Wooten.
Corbitt,		

Those voting in the negative are, Messrs :

Bruton,	Jordan,	Richardson,
Candler,	Lester,	Smith, 7th Dist.,
Fain,	McArthur,	Speer,
Graham,	Nunnally,	Wellborn.
Holcombe,		

Yeas 22; nays 13. So the motion to reconsider prevailed.

Mr. Merrill then moved to lay the resolution on the table, which was agreed to.

Mr. Bowers, in accordance with previous notice, moved to reconsider so much of the Journal of Saturday as relates to the action of the Senate, on the bill of the House, to authorize the survey of lands in the Sixth District of Habersham county, and for other purposes, which was agreed to.

On motion of Mr. Speer, the bill was read the third time and passed.

The Senate took up the bill of the House, to change the line between the counties of Taylor and Macon.

Mr. Jones moved to lay the bill on the table, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs :

Bowers,	Higbee,	McWhorter,
Colman,	Hungerford,	Sherman,
Corbitt,	Jones,	Speer,
Dickey,	Jordan,	Stringer,
Graham,	Merrill,	Welch,
Harris,	McCutchen,	Wooten.

Those voting in the negative are, Messrs :

Adams,	Fain,	Nesbitt,
Adkins,	Griffin, 21st District,	Nunnally,
Anderson,	Hinton,	Richardson,
Bruton,	Holcombe,	Smith, 7th Dist.,
Burns,	Lester,	Smith, 36th Dist.,
Candler,	McArthur,	Wellborn.
Collier,		

Yeas 18 ; nays 19. So the motion to lay the bill on the table did not prevail.

On motion of Mr. Holcombe, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to extend the corporate limits of the town of Perry, county of Houston.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House prohibiting persons from selling or bartering from boats or other water-craft on the Chattahoochee river.

Mr. Speer moved to postpone the bill indefinitely, which was not agreed to.

The report of the committee was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Hardin, the Clerk thereof :

Mr. President : The House of Representatives have concurred in the following Senate bills, to-wit :

A bill to give to persons who may be employees in and about any steam saw mills located in the State of Georgia, or to any person or persons who furnish any steam saw mill so

located with timber, saw logs or provisions, or with any thing necessary to carry on the work of said mill, a lien of the highest dignity upon said mill for dues, wages, debts or demands, that he, she or they may have against the owner, agent or lessee of said mill.

A bill to so change the line between the counties of Polk and Haralson as to add to the county of Haralson lots of land No.'s 401, 402, 472 and 473.

A bill for the relief of G. L. Roberts and Rebecca Mathis, of the county of Union, from the payment of a certain bond therein specified.

A bill to extend the provisions of an act, entitled an act to authorize the formation of two fire companies in the city of Macon, to be called the Protection Fire Company, No. 1, and Ocmulgee Fire Company, No. 2, of the city of Macon, and to confer on the members thereof certain privileges and exemptions, approved February 7th, 1854, to Mechanics Company, No. 4, of the city of Macon, any law to the contrary notwithstanding.

A bill to incorporate the Gainsville, Dahlonga and Ducktown Railroad Company.

A bill to relieve Thomas Adams, from pains and penalties as security on the bond of William Willey.

A bill to expedite the trial of causes in the Superior Court of the State in which the judges upon the bench may have an interest.

A bill to legalize the action of E. D. Watson, ordinary of Lee county.

A bill to regulate the issue and payment of all orders upon the county Treasury of the different counties of this State.

A bill explanatory of, and to carry into effect section 12, division 2, and article 5th of the Constitution of the State of Georgia.

A bill to provide for the drawing of juries for the Superior Court in the county of Chatham.

A bill to alter and amend the 4333rd section of Irwin's Code, relating to the punishment for cattle stealing.

Also, the following Senate bills with amendments, in which they ask the concurrence of the Senate.

A bill to permit A. K. Whitfield, of the county of Decatur, to peddle in this State free of license.

A bill to incorporate the Van Dyke Hydraulic Hose Gold Mining Company.

The House recedes from its amendment to the following bill :

A bill to organize a Criminal Court for each county of this State.

Mr. Higbee, from the Committee on Enrollment, made the following report :

Mr. President : The Committee on Enrollment report as duly enrolled, and ready for the signatures of the President of the Senate, and Speaker of the House of Representatives, the following acts, to-wit :

An act to amend the 4487th section of Irwin's Code.

An act to provide for the manner and time of hearing and determining cause by writ of *quo warranto*.

An act to incorporate the Peoples' Mutual Life Insurance Company of Georgia.

An act to explain an act entitled an act to levy and collect a tax for the support of the government for the year 1868, and for other purposes.

An act to authorize Margaret W. Crew, of the county of Marion to contract marriage, and for other purposes.

An act to alter and amend the fifth section of an act incorporating the town of Weston.

An act to change the terms of the Superior Court of Macon county

An act to incorporate the Georgia Masonic Life Insurance Company.

An act to repeal an act to prescribe the mode of electing the mayor and members of council of the city of Atlanta.

An act for the relief of Davis P. Vickory.

An act to repeal the last clause of section 584 of the Revised Code of Georgia.

An act to prevent the digging of ginseng in this State, before the first day of September in each and every year, and to provide a penalty therefor

An act to provide for the drawing of jurors in such counties in this State, and in such of the city courts thereof, as at the last terms of said courts no jurors were drawn.

An act to continue in office, Judges of the Superior Court in certain cases therein mentioned.

An act to incorporate an insurance company in the city of Macon, Georgia, to be called the Cotton States Life Insurance Company.

An act to relieve James N. Moss, a minor, of Thomas county.

An act to incorporate the Warsaw Mining Company

An act to relieve Henry L. Carroll and Rebecca Mathis, both of the county of Union, from liabilities on a forfeited recognizance therein specified.

An act for the relief of William F. Attaway, as security.

An act to incorporate the Central Georgia Mutual Life Insurance Company.

An act to grant certain exemptions to certain members of the Stonewall Fire Engine Company, No. 1.

An act to amend the charter of the city of Albany, and revive the charter and extend the limits of the town of Camilla, and for other purposes.

E. I. HIGBEE,
Chairman.

The following message was received from his Excellency the Governor, through Mr. deGraffenried, his Secretary, to-wit:

Mr. President: The Governor has signed the following acts, to-wit:

An act to incorporate the Georgia Loan and Trust Company

An act to incorporate the Southern Life Insurance Company.

Also, an act to prescribe the mode of appointing Notaries Public, and to render valid their acts.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem.*

Mr. President: The House of Representatives have receded from its disagreement to the sixth amendment of the Senate to the general appropriation bill.

Mr. Nunnally, from the Committee on Internal Improvements, made the following report:

Mr. President: The Committee on Internal Improvements, to whom was referred certain bills, report them back without recommendation, to-wit:

A bill to amend an act to incorporate the Georgia Western Railroad.

Also, a bill to incorporate the Brunswick Street Railroad Company.

Also, a bill to incorporate the Memphis Branch Railroad Company, and to grant certain powers and privileges to the same, and for other purposes.

Also, the following Senate bills.

A bill to amend an act to incorporate the Georgia Western Railroad Company.

Also, a bill to define persons subject to road duty in this State.

A. D. NUNNALLY,
Chairman.

Mr. Smith, from the Committee on New Counties and County Lines, made the following report:

Mr. President: The Committee on New Counties and

County Lines, have had under consideration, a bill to be entitled an act to change the line between the counties of Berrien, Irwin, Lee and Terrell counties.

Also, a bill to be entitled an act to change the line between the counties of Marion and Taylor, so as to include the residence of Seaborn Montgomery with lots of land, Nos. 222, 223, 224 and 225, now in the county of Marion, in the county of Taylor, both of which we recommend do pass.

W. C. SMITH,
Chairman.

The Senate took up the bill of the House to incorporate the Georgia Fire and Marine Insurance Company

The Judiciary Committee to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, the bill of the House to incorporate the town of West End, in the county of Fulton.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, the bill of the House to prohibit hunting on the lands of another person without the consent of the owner of said land.

On motion of Mr. Smith, of the 36th District, the bill was indefinitely postponed.

The Senate took up the bill of the House to authorize the municipal authorities of the various towns and cities in the State of Georgia, to license pawnbrokers, to define their powers and privileges, and for other purposes therein mentioned.

The Judiciary Committee to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem*.

Mr. President: The House of Representatives have concurred in the amendments of the Senate to the following bills of the House of Representatives :

A bill to be entitled an act to incorporate the town of Kingston, in the county of Bartow, to appoint commissioners for the same, and for other purposes.

Also a bill to prohibit the sale of spirituous liquors on days of election.

The Senate took up the bill of the House to incorporate the Citizens' Bank at Dalton, Georgia, and to define the privileges of said incorporation.

The Judiciary Committee to whom this bill was referred, reported in favor of its passage.

A constitutional majority being required to pass the same, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adams,	Fain,	McWhorter,
Anderson,	Graham,	Nesbitt,
Bowers,	Gignilliat,	Nunnally,
Brock,	Hinton,	Richardson,
Burns,	Hungerford,	Smith, 7th Dist.
Candler,	Jones,	Speer,
Colman,	Jordan,	Wellborn,
Collier,	McArthur,	Welch,
Corbitt,	McCutchen,	Wooten.
Dickey,		

Those voting in the negative, are Messrs:

Harris,	Stringer,	Winn.
Merrill,		

Yeas 28 ; nays 4. So the bill was passed by a constitutional majority.

Mr. Smith, of the Committee on New Counties and County Lines, made the following report :

Mr. President: Your Committee on New Counties and County Lines, to whom was referred various bills for the formation of new counties, beg leave to report the same back without recommendation.

W. C. SMITH,
Chairman.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem.*

Mr. President: The House of Representatives have passed the following bill, to-wit :

A bill to define the mode of conducting suits before Justices of the Peace and Notaries Public, in this State.

The House have concurred in the Senate amendment to the following House bill, to-wit :

A bill to incorporate the Buck Eye Mining and Manufacturing Company, of Forsyth, Hall, Dawson, and adjoining counties of Northeast Georgia.

The Senate took up the bill of the House to amend 2530

and 2531 sections of the Code of Georgia, for the benefit of helpless and dependent adult heirs.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill of the House to charter the Georgia Mutual Fire and Life Insurance Company.

The Judiciary Committee, to whom this bill was referred, reported the same back with the recommendation that it do not pass.

The report of the committee was agreed to, and the bill was lost.

Mr. Smith, from the joint committee appointed to investigate the condition of the State's stock in the Atlantic and Gulf Railroad, made the following report:

Mr. President: The joint committee appointed to investigate the condition of the State's stock in the Atlantic and Gulf Railroad, beg leave to report that they have been unable to make a satisfactory report to this session of the Legislature, and respectfully ask that said committee be allowed to report at the next session.

M. C. SMITH,

Chairman Senate Committee.

On motion, the report was taken up and adopted.

Mr. Higbee, from the Committee on Enrollment, made the following report:

Mr. President: The Committee on Enrollment report as duly enrolled and ready for the signatures of the President of the Senate and the Speaker of the House of Representatives, the following acts:

An act to change the residence of Thos. J. Newborn, of the county of Coffee, to the county of Clinch.

An act to incorporate the Fort Valley Loan and Trust Company.

An act to incorporate the Spalding County Mutual Life Assurance Society, of Georgia.

An act to relieve Amos Hicks, a minor, of Thomas county.

An act to carry into effect section 23rd, article 1st, of the Constitution of this State, and for other purposes.

An act to change the line between the counties of Union and Towns.

An act to amend and change the several acts incorporating the town of Thomasville, in the county of Thomas.

E. I. HIGBEE,

Chairman.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to repeal an act prohibiting the sale of spirituous liquors in the town of Fayetteville, approved December 3rd, 1859.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to provide for the payment of the interest now due and to mature on the bonds of the State for the fiscal year, 1868.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President : The Committee on Enrollment report as duly enrolled and ready for the signatures of the President of the Senate and Speaker of the House of Representatives, the following act to-wit :

An act to provide for the service of summons, and for appeals in Justices Courts, and for other purposes.

E. I. HIGBEE,
Chairman.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem* :

Mr. President : The House of Representatives have adopted the following resolution, to-wit :

A resolution to allow the Secretary and Assistant Secretary of the Senate, and the Clerk and Assistant Clerk of the House, twenty days to bring up the unfinished business of their respective Houses, and to index the Journals.

They have also passed the following Senate bill, with amendments, in which they ask the concurrence of the Senate :

A bill to require the Supreme Court Reporter to publish the decisions of said court in pamphlet form, and to provide for the distribution of the same, and for other purposes.

The following message was received from his Excellency the Governor, through Mr. deGraffenried, his Secretary, to-wit :

Mr. President : The Governor has signed the following act, to-wit :

An act to change the time for holding the Superior Courts in the Coweta Circuit.

The Senate took up the bill of the House to remove the county site of Bullock county, and for other purposes.

On motion of Mr. Hungerford, the bill was laid on the table.

The Senate took up the bill of the House to alter and amend an act entitled an act to incorporate the Oglethorpe University, at Midway, assented to December 31st, 1835.

The Committee on General Education, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up the bill of the House to prevent the illegal return of lands in this State.

On motion, the bill was indefinitely postponed.

The Senate took up the bill of the House, to carry into effect the 13th section of the 5th article of the Constitution of Georgia.

The Judiciary Committee, to whom this bill was referred, reported the same back without recommendation.

On motion, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, the bill of the House to amend the charter of the city of Cuthbert, and to define the powers and rights of the corporation and of the officers thereof, and for other purposes.

On motion of Mr. Speer, the bill was laid on the table.

On motion, the Senate took up the message of the House on the bill to raise a revenue and appropriate money, etc.

On motion, the Senate adhered to its amendment to section twelve.

The Senate then concurred in the House amendment to section fifteen.

On motion, the bill as amended, was passed and ordered to be transmitted forthwith to the House.

The Senate took up the bill of the House to change the line between the counties of Marion and Taylor, so as to include the residence of Seaborn Montgomery with lots of land numbers 222, 223, 224 and 225, now in the county of Marion, in the county of Taylor.

The Committee on New Counties and County Lines to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill of the House to amend an act to incorporate the Georgia Western Railroad Company

The Committee on Internal Improvements, to whom this bill was referred, reported the same back without recommendation.

On motion, the bill was indefinitely postponed.

The Senate took up as the report of the Committee of the

Whole, the bill of the House to incorporate the Brunswick Gaslight Manufacturing Company.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. Wellborn, Chairman of the Committee on Banks, made the following report :

Mr. President : The Committee on Banks, to whom was referred a bill to be entitled an act to incorporate the John King Banking Company of Columbus, and the City Banking Company of Macon, Georgia, beg leave to report that they have had the same under consideration and recommend that it do pass.

C. J. WELLBORN,
Chairman.

Mr. Merrill, from the Committee on the Judiciary, made the following report :

Mr. President : The Judiciary Committee, to whom was referred certain House bills, for want of sufficient time to give them the consideration they deserve, report them back without recommendation, numbered as follows :

No.'s 349, 203, 109, 181, 175, 250, 279, 182, 143, 155, 374, 214, 161, 139.

Also, the following Senate bills, to-wit:

To change section 1967 of the Code.

To regulate the bonds of sheriffs in the different counties in this State.

To require the sheriffs to organize a police force to preserve order at political meetings and on days of election.

To amend the arbitration laws of this State, so as to expedite the trial of causes.

Also a resolution to authorize the acceptance of the charter of the City Bank.

W. W. MERRILL,
Chairman.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President : The House of Representatives have passed the following Senate bills, to-wit :

A bill to amend and change the several acts incorporating the town of Thomasville, in the county of Thomas.

Also, a bill to change the residence of Thomas J. Newborn, of the county of Coffee, to the county of Clinch.

Also, a bill to carry into effect article 1st, section 23d, of the Constitution of this State.

Also, a bill to relieve Amos Hicks, a minor, of Thomas county.

Also, a bill to provide for the service of summons and for appeals in Justices Courts, and for other purposes.

The House have also passed the following Senate bill with amendments, to-wit:

A bill to change the line between the counties of Gilmer and Fannin, in this State.

The Senate took up as the report of the Committee of the Whole, the bill of the House to change the lines between Berrien and Irwin, and Terrell and Lee counties.

The Committee on New Counties and County Lines, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the Brunswick Street Railroad Company.

Mr. Colman, moved to strike out the word, "exclusive," which was agreed to.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the Secretary was directed to transmit the bill forthwith to the House.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to raise funds by taxation to build a common jail in the county of Bibb, and to authorize the building of the same, and for other purposes.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up as the report of the Committee of the Whole, the bill to exclude certain lands from the corporate limits of the town of Ringgold.

The report of the committee was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk.

Mr. President: The House of Representatives have concurred in the amendment to the following Senate bill, to-wit:

A bill to change the line between the counties of Union and Towns.

The Senate took up as the report of the Committee of the Whole, the bill of the House to make valid the tax levied by the Inferior Court of Echols county, for educational and county purposes for the year 1868.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of

the Whole, the bill of the House to revive and amend an act entitled an act for the building and construction of a railroad from the town of Athens to or near the town of Clayton, in Rabun county.

Also, to extend the Thomaston and Barnesville Railroad to Geneva, or some point of the Muscogee Railroad, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the House bill to incorporate the Memphis Branch Railroad Company, and to grant certain powers and privileges to the same, and for other purposes.

The Committee on Internal Improvements, to whom this bill was referred, reported the same back without recommendation.

On motion the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, the House bill to incorporate the John King Banking Company, of Columbus, and the City Banking Company of Macon, Georgia.

Mr. Winn proposed to strike out all that part of section second relating to liabilities, and insert the following, which was not agreed to, to-wit :

“Provided, That the stockholders in said corporation shall be bound for the debts of said corporators in the same manner as copartners are now bound by law.”

The question then recurred upon the passage of the bill, and a constitutional majority being required to pass the same, the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs :

Adams,	Fain,	McCutchen,
Adkins,	Graham,	McWhorter,
Anderson,	Griffin, 21st Dist.	Nunnally,
Bowers,	Hinton,	Richardson,
Burns,	Hungerford,	Smith, 7th Dist.,
Candler,	Jones,	Speer,
Collier,	Jordan,	Wellborn,
Corbitt,	Lester,	Welch.
Dickey,	McArthur,	

Those voting in the negative, are Messrs :

Brock,	Holcombe,	Smith, 36th Dist.,
Bruten,	Merrill,	Stringer,
Harris,	Sherman,	Winn.

Yeas 26 ; nays 9. So the bill was passed by a constitutional majority.

The following message was received from the House of Representatives, through Mr. Hardin, their Clerk:

Mr. President: The House of Representatives have passed the following bills, to-wit:

A bill to amend an act entitled an act, giving factors and merchants a lien on growing crops, approved December 15, 1866.

Also, a bill to confer jurisdiction on the Superior Courts of the State of Georgia, in cases of misdemeanor.

Also, a bill to dispose of the unfinished business of the late Inferior and County Courts, and to transfer the jurisdiction heretofore entertained by said courts to other courts of this State.

Also, a bill to authorize John F. Alford to settle with his ward, Z. N. Alford.

The Senate took up as the report of the Committee of the Whole, the bill of the House to apply the provisions of an act to extend the aid of the State to the completion of the Macon and Brunswick Railroad to a branch of said road.

On motion, the bill was laid on the table.

The Senate took up as the report of the Committee of the Whole, the bill of the House to constitute certain persons therein named, a Board of Commissioners for the town of Dahlonega.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, the bill of the House, to authorize and empower the Ordinaries of this State to issue writs of *habeas corpus* and to hear and determine the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill to incorporate the Savings Bank of Atlanta.

Mr. Bruton proposed the following amendment, which was agreed to, to-wit:

Strike out in section six, the word "State," and insert in lieu, the words "city of Atlanta."

The question then recurred upon the passage of the bill as amended, and a constitutional majority being required to pass the same, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adams,
Anderson,
Bruton,

Candler,
Collier,
Graham,

Hinton,
Hungerford,
Jones,

Lester,
McArthur,

Nunnally,
Smith, 7th Dist.

Wellborn,
Welch.

Those voting in the negative are, Messrs :

Bowers,
Brock,
Corbitt,
Harris,

Holcombe,
Merrill,
McCutchen,
McWhorter,

Sherman,
Smith, 36th Dist.
Stringer,
Winn.

Yeas 15 ; nays 12. So the bill was lost.

On motion, the rules were suspended, and Mr. Nunnally offered the following resolution, which was adopted, to-wit :

Whereas, There is a large amount of business which has been hurried through, and may be in an unfinished state. Be it therefore,

Resolved, That a committee of four be appointed to look after said business, and that said committee have four days to bring up said business after adjournment.

The Chair announced as the committee under the above : Messrs. Nunnally, McArthur, Speer and Harris.

Mr. Smith, of the 36th District, moved to suspend the regular order, for the purpose of taking up the bill of the House, to amend an act amending the charter of the Atlanta Medical College, which was not agreed to.

The Senate took up the message of the House on the bill to incorporate the Van Dyke Hydraulic Hose Gold Mining Company.

On motion the Senate concurred in the amendment as proposed by the House.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to constitute certain persons therein named, a board of commissioners for the town of Dahlonega.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the Alpharetta Mining Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to provide for the registering the voters of Atlanta.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the message of the House on the bill to permit A. K. Whitfield, of the county of Decatur, to peddle in this State free of license.

On motion, the Senate concurred in the amendment as proposed by the House.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to define the jurisdiction of the courts of this State in suits against railroad companies.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to authorize John Overstreet of the county of Appling, to establish a fishery on the Tatnall side of the Altamaha River, at a sand bar opposite the place known as Carter's Bite, in Appling county, and to draw a seine in the river, etc.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the Nacoochee Valley Mining Company, and the Hannay Mining Company, of White county.

The report of the committee was agreed to, the bill was read the third time, and passed.

The hour having arrived, the Senate adjourned until half-past two o'clock, P M.

HALF-PAST TWO O'CLOCK, P M.

The Senate met pursuant to adjournment, and was called to order by the President.

The Senate took up the bill of the House to authorize Albert H. Cox, of Troup county, to plead and practice law.

On motion the bill was indefinitely postponed.

The Senate took up the message of the House on the bill to require the Supreme Court Reporter to publish the decisions of said court in pamphlet form, and to provide for the distribution of the same, and for other purposes, to which the House proposed certain amendments.

On motion, the Senate concurred in the amendments proposed by the House, and the bill was ordered to be transmitted forthwith.

The Senate took up, as the report of the Committee of the Whole, the bill of the House for the relief of B. F. Henry, of the county of Bibb, J. N. Colley, of the county of Stewart, and Mrs. Elizabeth J. McCormick, of the county of Telfair.

On motion, the bill was laid on the table.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the Buck Eye Mining and Manufacturing Company, of Forsyth, Hall, Dawson, and adjoining counties of Northeast Georgia.

Mr. Richardson moved to amend section first by inserting the words "Lumpkin county."

Also to amend section third by striking out the words "one hundred," and insert the words "four hundred," which was agreed to.

The report of the committee was agreed to, the bill, as amended, was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House, forbidding the formation and drilling of military companies, and to prescribe a punishment for the same.

On motion, the bill was laid on the table.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President: The Committee on Enrollment, report as duly enrolled and ready for the signatures of the President of the Senate, and the Speaker of the House of Representatives, the following acts, to-wit :

An act to incorporate the Southern Life Insurance Company.

An act to incorporate the Chattahoochee Manufacturing Company, and for other purposes.

An act to change the line between the counties of Calhoun and Early.

An act to incorporate the Georgia Loan and Trust Company.

An act to prescribe the mode of appointing Notaries Public, and to render valid their acts.

An act to change the time for holding the Superior Courts in the Coweta Circuit.

E. I. HIGBEE.

Chairman.

The Senate took up and concurred in the following resolution of the House, to-wit :

A resolution directing the Superintendent of Public Works to revise the map of the State of Georgia.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to change the line between the counties of Floyd and Gordon.

The report of the committee was agreed to, and the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to repeal an act making the Honey Gall Landing, on Turtle River, in Glynn county, a public landing.

The report of the committee was disagreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to change the time of holding the Superior Courts of Bartow county.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill of the House to prevent hunting on the Sabbath day, in this State, with dogs, fire arms, or other implements, or the discharge of fire arms, except in defence of person or property, and to prescribe penalties for the same.

The Judiciary Committee, to whom this bill was referred, reported the same back without recommendation.

On motion of Mr. Winn, the bill was read the third time and passed.

The Senate took up the bill of the House to prohibit the carrying of concealed weapons.

On motion, the bill was laid on the table.

The Senate took up as the report of the Committee of the Whole, the bill of the House to incorporate the Wilmington Railroad Company.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up the bill of the House to legalize the acts of the Hon. John T. Clarke, Judge of the Superior Court of the Pataula Circuit, while holding the Superior Court of Stewart county at the April term, 1868.

The Judiciary Committee, to whom this bill was referred, reported the same back without recommendation.

On motion, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the Atlanta Trade Company.

On motion the bill was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the Manufacturing Marine Railway, Commercial and Dry Dock Company, of Brunswick.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to amend an act to incorporate

the town of Spring Place, in the county of Murray, and to more accurately define the duties and powers of commissioners of said town, and for other purposes therein mentioned.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the Dalton and Morganton Railroad.

The report of the committee was agreed to, the bill was read the third time, and passed.

The Senate took up the bill of the House to alter and amend the first section of article tenth of the Constitution of this State.

The Judiciary Committee, to whom this bill was referred, reported the same back without recommendation.

Mr. Smith, of the 30th District, moved to lay the bill on the table, whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs :

Bowers,	Higbee,	Sherman,
Brock,	Holcombe,	Smith, 7th Dst.
Candler,	Hungerford,	Smith, 36th Dist.,
Colman,	Jones,	Wellborn,
Dickey,	Merrill,	Welch,
Fain,	McCutchen,	Winn.
Harris,	Richardson,	

Those who voted in the negative are, Messrs :

Adams,	Graham,	McWhorter,
Anderson,	Gignilliat,	Nesbitt,
Bruton,	Hinton,	Nunnally,
Burns,	Jordan,	Speer,
Collier,	Lester,	Wooten.
Corbitt,	McArthur,	

Yeas 20 ; nays 17 So the bill was laid on the table.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the town of Kingston, in the county of Bartow, to appoint commissioners for the same, and for other purposes.

Mr. Fain proposed the following amendment which was agreed to, to-wit :

Strike out sections ten and thirteen, and insert the following as section fifteen: "And be it enacted that all the fines, taxes and forfeitures, so collected under the provisions of this act shall be for the use of said town."

The report of the committee was agreed to, the bill as amended was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to relieve R. L. Rogers, of the county of Bartow.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to allow practicing attorneys to administer oaths in certain cases.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, the bill of the House to allow William J. McGill, a one armed man, to peddle in the counties of Taylor and Schley, free of license.

On motion, the bill was laid on the table.

The Senate took up, as the report of the Committee of the Whole, the bill of the House, to prescribe the oath to be administered to voters for electors of President and Vice President of the United States, Governor, members of Congress, members of the General Assembly, and county officers.

On motion, the bill was laid on the table.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the Georgia and Alabama Steamboat Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to require the trustees of the University of Georgia, to provide a college for the benefit of Agriculture and Mechanic Arts in the State of Georgia.

On motion, the bill was laid on the table.

The Senate took up, as the report of the Committee of the Whole, the bill of the House for the relief of George D. Whitfield, of Dooly county.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the bill of the House to change the residence of John C. Shipp, of the county of Cobb, to the county of Paulding.

The Committee on General Education, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the message of the House on the veto of his Excellency, the Governor, on the bill to consolidate and amend the several acts incorporating the town of Lump-

kin, county of Stewart, and to grant certain privileges to the same.

Upon the question, "shall this bill now pass the veto of his Excellency to the contrary notwithstanding," a constitutional majority being required to pass the same, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs:

Adams,	Griffin, 21st Dist.,	McWhorter,
Anderson,	Gignilliat,	Nesbitt,
Bruton,	Hinton,	Nunnally
Burns,	Holcombe,	Smith, 7th District,
Candler,	Lester,	Wellborn,
Collier,	McArthur,	Winn,
Fain,	McCutchen,	Wooten.
Graham,		

Those voting in the negative, are Messrs:

Adkins,	Dickey,	Richardson,
Bowers,	Harris,	Sherman,
Brock,	Higbee,	Smith, 36th Dist.,
Colman	Jones,	Speer,
Corbitt,	Merrill,	Welch.

Yeas 22; nays 15. So the bill was lost.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to change the line between the counties of Hall and White.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill of the House for the relief of Isaiah Williams.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill of the House to extend the time of issuing grants on head rights, so far as to extend the time until December 25th, 1869.

The Judiciary Committee, to whom this bill was referred, reported the same back without recommendation.

On motion, the bill was read the third time and passed.

The Senate took up the bill of the House to increase the number of sessions of the Superior Courts in this State, and for other purposes.

The Judiciary Committee, to whom this bill was referred, reported the same back without recommendation.

Mr. Speer moved to strike out the word "shall" in first section and insert the word "may," which was not agreed to.

On motion, the bill was read the third time and passed.

The Senate took up the bill of the House for the relief of

criminals confined in the prisons of this State for inability to pay fines, costs, and for other purposes.

Upon the passage of the bill, the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs.

Adams,	Graham,	McWhorter,
Anderson,	Griffin, 21st Dist.	Nesbitt,
Burns,	Gignilliat,	Nunnally,
Candler,	Hinton,	Winn,
Collier,	Lester,	Wooten.
Fain,	McCutchen,	

Those voting in the negative, are Messrs:

Adkins,	Harris,	Richardson,
Bowers,	Higbee,	Sherman,
Brock,	Holcombe,	Smith 7th Dist.,
Bruton,	Hungerford,	Smith, 36th Dist.,
Colman,	Jones,	Speer,
Corbitt,	Jordan,	Winn.
Dickey,	Merrill,	

Yeas 17; nays 20. So the bill was lost.

The Senate took up as the report of the Committee of the Whole, the bill to relieve Seaborn Montgomery and others, as securities upon the bond of Henry L. Tison, tax collector of Schley county, so far as relates to the Convention tax.

After debate, Mr. Speer called for the previous question; which being sustained, the main question was ordered upon the passage of the bill. Whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs.

Adams,	Graham,	Nesbitt,
Adkins,	Griffin, 21st Dist.,	Nunnally,
Anderson,	Gignilliat,	Richardson,
Burns,	Hinton,	Speer,
Candler,	Jones,	Winn,
Collier,	Lester,	Wooten.
Fain,	McWhorter,	

Those voting in the negative, are Messrs:

Bowers,	Harris,	McCutchen,
Brock,	Higbee,	Sherman,
Bruton,	Holcombe,	Smith, 7th District,
Colman,	Hungerford,	Smith, 36th Dist.,
Corbitt,	Jordan,	Welch.
Dickey,	Merrill,	

Yes 20; nays 17 So the bill was passed.

On motion of Mr. Burns, the Senate adjourned until half-seven o'clock, P M.

HALF-PAST SEVEN O'CLOCK, P. M.

The Senate met pursuant to adjournment, and was called to order by the President.

The Senate took up as the report of the Committee of the Whole, the bill of the House to be entitled an act to declare what length of time shall give road commissioners jurisdiction over road hands.

On motion, the bill was laid on the table.

The Senate took up as the report of the Committee of the Whole the bill of the House to be entitled an act exempting the members of the Merchants' and Mechanics' Fire Company, of Milledgeville, from road, jury and militia duty.

On motion, the bill was laid on the table.

The Senate took up as the report of the Committee of the Whole the House bill to incorporate the town of Forrestville, in the county of Floyd and State of Georgia, and to appoint commissioners for the same, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, the House bill to fix the venue of suits against the Superintendent of the Western and Atlantic Railroad, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The following message was received from his Excellency the Governor, through Mr. deGraffenried, his Secretary, to-wit:

Mr. President: The Governor has signed the following acts, to-wit:

An act relieve James N. Moss, a minor, of Thomas county.

An act to explain an act entitled an act to levy and collect a tax for the support of the government for the year 1868, and for other purposes.

An act to carry into effect section 23d, article 1st of the Constitution of this State, and for other purposes.

An act to relieve Amos Hicks, a minor, of Thomas county.

An act to change the terms of the Superior Court for Macon county.

An act to fix the compensation for taking down in writing the evidence in charges of felony.

An act to incorporate the Chattahoochee Manufacturing Company and for other purposes.

An act to incorporate the Turtle river and Scriven Railroad Company.

An act to legalize certain marriages and relieve the parties thereto from pains and penalties.

An act to amend the 2489th paragraph of the new Code of Georgia, and to allow sureties on administrator's bonds to make returns in certain cases.

An act to alter and amend the 4322d section of Irwin's Code, changing penalty of burglary in the night from death to imprisonment in the penitentiary.

An act to alter and amend 4330th section of Irwin's Code, changing penalty of horse stealing from death to penitentiary offence.

An act to extend the aid of the State to the Macon and Augusta Railroad Company.

Also, an act to provide for the service of summons and for appeals in justice's courts, and for other purposes.

The Senate took up as the report of the Committee of the Whole, the House bill to incorporate the Muscogee Ice Manufacturing and Trust Company, in the county of Muscogee, State of Georgia.

On motion, the bill was laid on the table.

The Senate took up as the report of the Committee of the Whole, the House bill to authorize Thomas K. McDonald, the present clerk elect of the Superior Court of Whitfield county, to practice law in counties other than Whitfield.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, the House bill to change the county line between the counties of Macon and Taylor.

On motion, the bill was laid on the table.

The Senate took up as the report of the Committee of the Whole, the House bill for the relief of Rachel Box, of the county of Clinch.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, the House bill to alter and amend chapter 3d, title 15, part 1st, of Irwin's Revised Code, and for other purposes.

Upon the passage of the bill, the yeas and nays were required to be recorded.

Those who voted in the affirmative are, Messrs :

Adams,	Merrill,	Smith, 7th Dist.,
Anderson,	McCutchen,	Smith, 36th Dist.,
Collier,	McWhorter,	Speer,
Fain,	Nunnally,	Winn.
Jones,	Richardson,	

Those who voted in the negative are, Messrs :

Adkins,	Graham,	Hungerford,
Bowers,	Griffin, 21st District,	Jordan,
Bruton,	Gignilliat,	Lester,
Candler,	Harris,	Wellborn,
Colman,	Hinton,	Welch.
Corbitt,		

Yeas 14 ; nays 16. So the bill was lost.

The Senate took up as the report of the Committee of the Whole, the House bill declaring Cary J. Thornton, eligible to the office of Solicitor General.

On motion, the bill was laid on the table.

The Senate took up as the report of the Committee of the Whole, the House bill to change the 7th paragraph of the 1711th section of the divorce law.

On motion, the bill was laid on the table.

The Senate took up as the report of the Committee of the Whole, the House bill to amend the charter of the Atlanta Street Railroad Company, to change its name, to confer banking powers on the same, and for other purposes.

The report of the committee was agreed to.

Upon the passage of the bill, the yeas and nays were required to be recorded.

Those voting in the affirmative, are Messrs :

Adams,	Hinton,	Richardson,
Adkins,	Hungerford,	Sherman,
Anderson,	Jones,	Smith, 7th Dist.,
Burns,	Jordan,	Smith, 36th Dist.,
Candler,	Lester,	Speer,
Collier,	Merrill,	Wellborn,
Fain,	McCutchen,	Welch,
Graham,	McWhorter,	Winn,
Griffin, 21st Dist.	Nunnally,	Wooten.
Gignilliat,		

Those voting in the negative are, Messrs :

Bowers,	Harris,	Higbee.
Corbitt,		

Yeas 28 ; nays 4. So the bill was passed.

The following message was received from His Excellency, the Governor, through Mr. deGraffenried, his Secretary, to-wit :

Mr. President : The Governor has signed the following acts, to-wit :

An act to amend the charter of the Macon and Augusta Railroad Company.

An act to provide for the manner and time of hearing and determining causes by writ of *quo warranto*.

An act to repeal an act to prescribe the mode of electing the mayor and members of council of the city of Atlanta.

An act to amend the 4487th section of Irwin's Code.

An act for the relief of Davis P. Vickory, of Coweta county.

An act to repeal the last clause of section 584, of the Revised Code of Georgia.

An act to prevent the digging of ginseng in this State, before the first day of September, in each and every year, and to provide the penalty therefor.

An act for the relief of William F. Attaway, as security

An act to provide for the drawing of jurors in such counties in this State, and in such of the city courts thereof as at the last terms of said courts no jurors were drawn.

An act to increase the capital and define the powers of the Georgia Railroad and Banking Company.

An act to relieve Henry L. Carroll and Rebecca Mathis, both of the county of Union, from liabilities on a forfeited recognizance therein specified.

An act to authorize Margaret W. Crew, of the county of Marion, to contract marriage, and for other purposes.

Also, an act for the relief of Hamlin Hudgens, of DeKalb county, security on the bond of John Hudgens, indicted at the March term, 1865, of the Superior Court of Gwinnett county, Georgia, for larceny.

The Senate took up as the report of the Committee of the Whole, the House bill, to repeal an act to extend the provisions of the act to amend the several acts now in force, regulating the fees of magistrates and constables, in the State of Georgia, so far as relates to the counties of Bibb, Richmond, Monroe and Lee, and to provide for the mode of collecting the same, approved January 22d, 1852, to the county of Fulton, approved March 1st, 1856, so far as said act applies to the county of Fulton.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to validate the charter of St. Marys, Georgia.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to change the time for holding the Superior Court in the county of Marion.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill for the relief of Meritt Camp, of the county of Gwinnett.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to change the time of holding the fall term of the Superior Court of Dawson county.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to incorporate the town of Homerville, in the county of Clinch, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to incorporate the town of Hogansville, in the county of Troup, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to alter and amend an act to regulate the manner of giving in lands for taxation, and the sale and redemption thereof, and for other purposes, assented to 12th December, 1866.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to change the line between the counties of Cherokee and Pickens, so as to include all of Wm. Dowd's plantation in the county of Cherokee.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to amend the charter of the Princeton Factory.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to incorporate the town of Jefferson, in Jackson county, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the

Whole, the House bill to amend an act entitled an act to incorporate the Rome Mutual Insurance Company, of Rome, Georgia, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to authorize the auditor of the Western and Atlantic Railroad, to pay T. C. McCreary, one hundred dollars per quarter from the treasury of said road.

On motion, the bill was laid on the table.

The Senate took up, as the report of the Committee of the Whole, the House bill to incorporate the Southern Life Insurance Company.

On motion, the bill was laid on the table.

The Senate took up, as the report of the Committee of the Whole, the House bill to amend an act to incorporate the town of Barnesville, in Pike county, and to point out the mode of electing commissioners and other officers, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to incorporate the Etowah Gold Mining Company of Georgia.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to increase the fees of the sheriff of Jones county.

The report of the committee was agreed to, and the bill was lost.

The Senate took up, as the report of the Committee of the Whole, the House bill to define the duties and liabilities of all insurance companies doing business in the commonwealth, except the Georgia Masonic Mutual Life Insurance Company and Masons Daughters' Mutual Aid Society.

Mr. Candler proposed to strike out section 7th, and insert the following in lieu thereof which was agreed to, to-wit:

"That the stockholders for the time being shall be individually liable to the policy holders and other creditors of the corporation for the payment of the policies and other indebtedness in proportion to the amount and value of their stock."

The report of the committee was agreed to, and the bill as amended, was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to incorporate the Auraria, Etowah

and Camp Creek Mining Company, of Lumpkin county Georgia.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to amend the Penal Code of this State.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to incorporate the Camilla and Cuthbert Railroad Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the bill of the House to amend an act amending the charter of the Atlanta Medical College.

The Judiciary Committee, to whom this bill was referred reported the same back without recommendation, the committee not having had sufficient time to properly consider the same.

On motion, the bill was laid on the table.

The Senate took up, as the report of the Committee of the Whole, the House bill to incorporate the town of Thomaston in the county of Upson, and appoint commissioners for the same, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, the bill of the House to incorporate the Atlanta Mutual Insurance Society.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, the House bill for the relief of John Sligh, James Sligh, and Robert Hendrick, and their securities, Dempsey F. Bishop and John Sligh.

On motion, the bill was laid on the table.

The Senate took up as the report of the Committee of the Whole, the House bill to prevent injury to, or destruction of growing crops in enclosed fields in this State, by persons fishing or hunting game in the same, without the consent of the owner or occupant of such fields.

On motion, the bill was laid on the table.

The Senate took up as the report of the Committee of the Whole, the House bill, to incorporate the Albany and Columbus Railroad Company.

On motion, the bill was laid on the table.

The Senate took up as the report of the Committee of the Whole, the House bill, to incorporate the Eatonton and Madison Railroad Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, the House bill, to incorporate the Cavenders Creek Hydraulic Hose Mining Company.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the Senate adjourned until to-morrow morning at eight o'clock.

SENATE CHAMBER,

ATLANTA, GEORGIA,

TUESDAY, October 6th, 1868.

The Senate met pursuant to adjournment, and was called to order by the President.

Prayer by the Rev. Mr. Smith, Honorable Senator from the 1st District.

The roll was called, and the Journal of the previous day read and approved.

On motion, the rules were suspended, and Mr. Smith, of the 36th District, offered the following resolution, which was adopted, to-wit :

Resolved, That no member be allowed more than five minutes, and but once to speak on any motion to reconsider.

Mr. Speer, in conformity with previous notice, moved to reconsider so much of the Journal of yesterday, as relates to the action of the Senate on the bill of the House to charter the Georgia Mutual Fire and Life Insurance Company.

The motion to reconsider prevailed, and on motion of Mr. Speer, the bill was read the third time and passed.

Mr. Hungerford, in accordance with previous notice, moved to reconsider so much of the Journal of yesterday, as relates to the action of the Senate on the bill of the House to incorporate the Savings Bank of Atlanta.

The motion to reconsider was agreed to.

Mr. Hungerford moved that the bill do pass.

A constitutional majority being required to pass the same, yeas and nays were required to be recorded.

Those voting in the affirmative are Messrs.

Adams,	Graham	McArthur,
Adkins,	Griffin, 21st Dist.,	McWhorter,
Anderson,	Gignilliat,	Nesbitt,
Brock,	Hinton,	Nunnally,
Burns,	Hungerford,	Smith, 7th Dist.,
Candler,	Jones,	Smith, 36th Dist.,
Collier,	Jordan,	Speer.
Corbitt,	Lester,	Wellborn,
Fain,	Merrill,	Welch.

Those voting in the negative are, Messrs.

Bowers,	Dickey,	Winn.
Colman,		

Yeas 27 ; nays 4. So the bill was passed by a constitutional majority.

The following message was received from his Excellency the Governor, through Mr. deGraffenried, his Secretary to-wit :

Mr. President : The Governor has approved and signed the following acts, to-wit :

An act to authorize executors and administrators, residents of any other State of the United States, to sell and convey real estate of their testators or intestates, recovered by suits at law in this State by said executors or administrators under the same rules and regulations as are now prescribed for executors and administrators residents of this State.

Also, an act for the relief of Andrew Gay, of Emanuel county, Georgia.

Mr. Smith, of the 36th District, in accordance with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate, on the bill of the House, to alter and amend chapter 3d, title 15th part 1st, of Irwin's Revised Code, and for other purposes which was not agreed to.

Mr. Hungerford, in conformity with previous notice, moved to reconsider so much of the Journal of yesterday, as relates to the action of the Senate, on the bill of the House, to authorize the trustees of the University of Georgia, to provide a college for the benefit of agriculture and the mechanic arts in the State of Georgia.

On motion of Mr. Harris, the motion to reconsider was laid on the table.

Mr. Griffin, of the 21st District, in accordance with previous notice, moved to reconsider so much of the Journal of yesterday, as relates to the action of the Senate on the bill of

the House, declaring Cary J. Thornton eligible to the office of Solicitor General.

The motion to reconsider prevailed.

Mr. Anderson moved to amend by inserting the name of E. W. Crocker, which was agreed to.

On motion of Mr. Griffin, of the 21st District, the bill as amended was read the third time and passed.

Mr. Candler in conformity with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate, on the bill of the House, to amend an act to incorporate the Georgia Western Railroad Company, which was agreed to.

On motion of Mr. Candler, the bill was read the third time and passed.

Mr. Lester, in conformity with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate, on the bill of the House to incorporate the town of Homerville, in the county of Clinch, and for other purposes.

The motion to reconsider was agreed to, and the bill was passed with the following amendments, to-wit :

Strike out the whole of section six, and so much of section seven as gives authority to collect poll tax.

The Senate took up and concurred in the following joint resolutions, to-wit :

A resolution that Judges of the Superior Courts, ex-Judges of the Supreme Court, Reporter and Clerk of the same, and Solicitors General, shall continue in office until their successors shall be elected and qualified, and the Governor be authorized to draw his warrant to pay the same.

A resolution to furnish Harrison's Pamphlet of Laws to certain officers.

A resolution to allow the Secretary and Assistant Secretary of the Senate, and the Clerk and Assistant Clerk of the House, twenty days to bring up the unfinished business of their respective Houses, and to index their Journals.

A resolution to extend the time for completing the public printing.

A resolution for the relief of James Holliman, tax collector of the county of Upson.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President: The Committee on Enrollment report as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following resolution, to-wit :

A resolution to furnish Harrison's Pamphlet of Laws to members of the Legislature, and to other officers.

E. I. HIGBEE,
Chairman.

The following resolutions were taken up, read and laid on the table, to-wit :

A resolution that the General Assembly adjourn *sine die* on Tuesday, the sixth day of October next, at 12 o'clock, M.

A resolution that the act for the relief of debtors and to authorize the adjustment of debts upon principles of equity, when signed by the Governor, shall be a finality upon the question of relief in this State.

A resolution authorizing Madison Bell, Comptroller General, to transfer certain entries to the books kept by Col. J. T. Burns, and to employ a suitable clerk to execute said work.

A resolution authorizing B. A. White to make certain county and district maps.

Mr. Wellborn moved to reconsider so much of the journal of yesterday as relates to the action of the Senate on the bill of the House to increase the fees of the sheriff of Jones county ; which was not agreed to.

On motion of Mr. Speer, the Senate took up from the table the bill of the House to amend the several acts incorporating the town of Cartersville, in the county of Bartow, and to repeal all acts and parts of acts in conflict with this act.

Mr. Burns moved to amend section 4, on the 4th line, after the words, "malt liquors," by inserting the following, which was agreed to, to-wit : "*Provided*, that said license shall not be for a less amount than fifty dollars."

Also, in section 4, ninth line, insert after the words "personal property," the words, "except lands used only for agricultural purposes."

On motion of Mr. Burns, the bill, as amended, was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, the bill of the House to alter and amend an act to change the place of holding legal sales in the county of Muscogee.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President: The Committee on Enrollment report as duly enrolled and signed by the Speaker of the House of Rep-

representatives, and ready for the signature of the President of the Senate, the following act, to-wit :

An act to raise revenue and appropriate money, etc.

E. I. HIGBEE,

Chairman.

Mr. Nunnally, in conformity with previous notice, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill of the House to prohibit hunting on the lands of another, without the consent of the owner of said land.

After debate, Mr. Adkins moved to lay the bill on the table. Whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs :

Adkins,	Harris,	Smith, 36th Dist.,
Bowers,	Hungerford,	Speer,
Brock,	Jones,	Stringer,
Colman,	Sherman,	Welch.
Corbitt,		

Those voting in the negative are, Messrs :

Anderson,	Holcombe,	McWhorter,
Burns,	Jordan,	Nesbitt,
Candler,	Lester,	Nunnally,
Fain,	Merrill,	Smith, 7th Dist.,
Graham,	McArthur,	Wellborn,
Gignilliat,	McCutchen,	Winn.
Higbee,		

Yeas 13 ; nays 19. So the motion to lay the bill on the table did not prevail.

After debate, Mr. Smith, of the 7th District, moved to postpone the bill indefinitely. Whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs :

Adkins,	Harris,	Sherman,
Bowers,	Hungerford,	Smith, 36th Dist.,
Brock,	Jones,	Stringer,
Colman,	Merrill,	Welch.
Corbitt,		

Those voting in the negative are, Messrs :

Anderson,	Holcombe.	Nesbitt,
Burns,	Jordan,	Nunnally,
Candler,	Lester,	Smith, 7th Dist.,
Collier,	McArthur,	Speer,
Fain,	McCutchen,	Wellborn,
Griffin, 21st Dist.	McWhorter,	Winn.
Gignilliat,		

Yeas 13; nays 19. So the motion to postpone the bill indefinitely did not prevail.

Mr. Nunnally moved to strike the words, "one hundred," and insert the words, "ten" in lieu.

Also, to insert the following :

"*Provided further*, That this b'll shall not apply to fox hunters;" which were agreed to.

Mr. Speer proposed to amend by inserting the following, which was not agreed to, to-wit :

"*Provided*, That persons who live in the counties embraced by the provisions of this bill shall not have the right to fish or hunt in counties that are exempted from the provisions of this act, under the same penalties as are prescribed in the bill."

Mr. Higbee proposed to amend as follows, which was not agreed to, to-wit :

"Provided that no one shall permit any class of persons to hunt on his or her premises to the exclusion of any other class."

The following counties were then proposed to be exempted from the operation of the bill, to-wit :

Except the counties of Emanuel, Johnson, Laurens, Jackson, Hall, Banks, Meriwether, Campbell, Coweta, Bibb, Monroe, Pike, Columbia, Wilkes, Lincoln, Green, Warren, Taliaferro, Hart, Franklin, Habersham, Burke, Scriven, Bullock, Montgomery, Telfair, Irwin, Appling, Wayne, Pierce Clinch, Coffee, Ware, Decatur, Miller, Mitchell, Dougherty Lee, Worth, Fannin, Gilmer, Pickens, Marion, Haralson Polk, Paulding, Newton, Walton, Clark, Richmond, Glasscock, Jefferson, Cobb, Clayton, Fulton, Cherokee, Forsyth, Milton, Glynn, Camden, Charlton, Carroll, Heard, Troup, Gordon, Whitfield, Murray, Bartow, Chattooga, Floyd, Union, Towns, Rabun, Walker, Dade, Catoosa, Lumpkin, White and Dawson.

The question was put upon excepting the counties as named; which was agreed to.

The question then recurred upon the passage of the bill, as amended. Whereupon the yeas and nays were required to be recorded.

Those voting in the affirmative are, Messrs :

Anderson,	Fain,	Hungerford,
Burns,	Graham,	Jordan,
Candler,	Griffin, 21st Dist.,	Lester,
Collier,	Gignilliat,	McArthur,
Corbitt,	Holcombe,	McCutchen,

McWhorter,	Smith, 7th Dist.,	Wellborn,
Nesbitt,	Smith, 36th Dist.,	Winn.

Those voting in the negative are, Messrs :

Adkins,	Harris,	Sherman,
Bowers,	Jones,	Stringer,
Colman,	Merrill,	Welch.

Yeas 21 ; nays 9. So the bill, as amended, was passed.

On motion, the rules were suspended and Mr. Merrill offered the following resolution, which was adopted, to-wit :

Resolved, That a committee, not exceeding five, be appointed to co-operate with the committee appointed by a resolution of the House, on retrenchment, etc., to report at the next session of the General Assembly.

The Chair announced as the committee under the above, Messrs. Merrill, Smith, of the 7th District, Nunnally, Wooten, and Harris.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to authorize the ordinaries of the State to appoint arbitrators in certain cases.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to regulate the fees of the Solicitors General, and other officers of court.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the Wahoo Mining and Manufacturing Company, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the Georgia Land and Immigration Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to define the mode of conducting suits before Justices of the Peace and Notaries Public, in this State, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to establish game laws for Fulton County.

On motion of Mr. Harris, the bill was laid on the table.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to provide for completing the administration and settlement of the estate of Willis J. Whatley, late of Troup county, deceased.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to change the terms of the Superior Court for the county of Macon.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House for the relief of A. Lewis and brothers, of the county of Upson.

The report of the committee was agreed to, and the bill was lost.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to amend an act to incorporate the Pioneer Hook and Ladder Company, in the town of Athens, and to incorporate the Atlanta Hook and Ladder Company, Number One, in the city of Atlanta, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House for the relief of Nancy Jones of Paulding county.

On motion, the bill was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to make uniform all election tickets used at elections in this State.

On motion, the bill was laid on the table.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to change the lines between the counties of Pickens and Cherokee.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the House bill to change the line between the counties of Pickens and Dawson.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the Georgia Fertilizer Manufacturing Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to enable the owners of mines to draw water from branches or other head waters through or over intervening lands.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to incorporate the Dublin Manufacturing Company, and to confer certain privileges hereon.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the bill of the House to authorize the land owners on Board Creek, in the counties of Liberty and Tatnall, to remove obstructions from the same, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. Speer offered the following resolution, which was adopted, to-wit:

Resolved, That the thanks of the Senate are due, and are hereby, tendered to the Reporters of the Press, in this city, for their reports of its proceedings, and to the proprietors of such newspapers, in this State, as have furnished us, during our session, with copies of their papers gratuitously.

Mr. Smith, of the 36th District, offered the following resolution, which was adopted, to-wit:

Resolved, That the President of the Senate be added to the committee appointed to examine into the condition, books, &c., of the Western and Atlantic Railroad.

Mr. Higbee, Chairman of the Committee on Enrollment, reported as duly enrolled, signed by the Speaker of the House of Representatives, and now ready for the signature of the President of the Senate, the following acts, to-wit:

An act to increase the number of sessions of the Superior Courts in this State, and for other purposes.

Also, an act for the relief of Isaiah Williams.

Also, an act to legalize the acts of the Hon. John T. Clarke, Judge of the Superior Court of the Pataula Circuit, while holding the Superior Court of Stewart county, at the April term, 1868.

Also, an act for the relief of R. L. Rogers, of the county of Bartow.

Also, an act to incorporate the Wilmington Railroad Company.

Also, an act to change the line between the counties of Cherokee and Pickens, so as to include all of Wm. Dowd's plantation in the county of Cherokee.

Also, an act to amend an act to incorporate the town of Spring Place, in the county of Murray.

Also, an act to alter and amend an act to regulate the manner of giving in lands for taxation, and the sale and redemption thereof, and for other purposes, assented to 12th December, 1866.

Also, an act to authorize Thomas McDonald, the present clerk elect of the Superior Court of Whitfield county, to practice law in counties other than Whitfield.

Also, an act to extend the provisions of the act to amend the several acts now in force regulating the fees of magistrates and constable in the State of Georgia, so far as relates to the counties of Bibb, Richmond, Monroe and Lee, and to provide for the mode of collecting the same, approved January 2d, 1852, to the county of Fulton. Approved March 1st, 1856, so far as said act applies to the county of Fulton.

Also, an act to incorporate the Etowah Gold Mining Company.

Also, a resolution to furnish certain officers with Harrison's Pamphlet of Public Laws, passed at this session.

Also, an act to authorize John Overstreet, of the county of Appling, to establish a fishery on the Tatnall side of the Altamaha river, at a sand bar opposite the place known as Carter's Bite, in Appling county, and to draw a seine in the river, etc.

Also, an act to provide for registering the voters of Atlanta.

Also, an act to incorporate the Dalton and Morganton Railroad Company.

Also, an act to change the residence of John C. Shipp, of the county of Cobb, to the county of Paulding, and to change the residence of George M. Lewis, of the county of Paulding to the county of Cobb.

Also, an act to amend an act incorporating the town of Barnesville, in Pike county, and to point out the mode of electing commissioners and other officers, and for other purposes.

Also, an act to incorporate the town of Hogansville, in the county of Troup, and for other purposes.

Also, an act to incorporate the town of Jefferson, in Jackson county, and for other purposes.

Also, an act to fix the venue of suits against the Superintendent of the Western and Atlantic Railroad, and for other purposes.

Also, an act to validate the charter of St. Mary's, Georgia.

Also, an act to incorporate the town of West End, in the county of Fulton.

Also, an act to change the line between the counties of Henry and Clayton.

Also, an act to change the time of holding the Superior Courts of Bartow county.

Also, an act to incorporate the town of Trion, in the county of Chattooga.

Also, an act to incorporate the Citizens' Bank of Dalton, Georgia, and to define privileges of said incorporation.

Also, an act to alter and amend an act entitled an act to incorporate Oglethorpe University, at Midway, assented to December 21st, 1835.

Also, an act to allow lawyers to administer oaths in certain cases.

Also, an act to relieve William S. Moughon, of the county of Bibb, from double taxation on his Dougherty county plantation for the year 1867.

Also, an act to constitute certain persons therein named a "Board of Commissioners for the town of Dahlonega."

Also, an act to incorporate the John King Banking Company of Columbus, and the City Banking Company of Macon, Georgia.

Also, an act to incorporate the Brunswick Gas Light Manufacturing Company.

Also, an act to repeal an act making the Honey Gull Landing on Turtle river, in Glynn county, a public landing.

Also, an act to amend an act passed November 12th, 1866, amending the charter of the town of Sandersville, in the county of Washington, and to vest certain powers in the commissioners thereof.

Also, an act to extend the time of issuing grants on head rights, so as to extend the time until December 25th, 1869.

Also, an act to provide for the payment of the interest now due and to mature on the bonds of the State for the fiscal year 1868.

Also, an act to authorize the municipal authorities of the various towns and cities in the State of Georgia to license pawnbrokers, to define their powers and privileges, and for other purposes therein named.

Also, an act to authorize and empower the ordinaries of this State to issue writs of *habeas corpus*, and to hear and determine the same.

Also, an act to provide for the election of justices of the peace and constables.

Also, an act to authorize the Universal Life Insurance

Company of New York to make investments in the State of Georgia, and for other purposes.

Also, an act to relieve Seaborn Montgomery and others as securities upon the bond of Henry L. Tyson, Tax Collector of Schley county, so far as relates to the convention tax.

Also, an act to change the line between the counties of Hall and White.

Also, an act to incorporate the Georgia and Alabama Steamboat Company.

Also, an act to change the time for holding the Superior Court in the county of Marion.

Also, an act to amend the charter of the Princeton Factory.

Also, an act to incorporate the Atlanta Mutual Insurance Society.

Also, an act to make valid the tax levied by the Inferior Court of Echols county, for educational and county purposes for the year 1868.

Also, an act to exclude certain lands from the corporate limits of the town of Ringgold.

Also, an act to revise the incorporation of Cedar Town, in Polk county.

Also, an act to raise funds by taxation to build a common jail in the county of Bibb and to authorize the building of the same, and for other purposes.

Also, an act to loan the credit of State to the Savannah, Griffin and North Alabama Railroad Company.

Also, an act to incorporate the Manufacturing Marine Railway, Commercial and Dry Dock Company of Brunswick.

Also, an act for the relief of Merrit Camp, of the county of Gwinnett.

Also, an act to change the time of holding the fall term of the Superior Court of Dawson county.

Also, an act for the relief of Rachel Box, of the county of Clinch.

Also, an act for the relief of criminals confined in the prisons of this State for inability to pay fines, costs, and for other purposes.

Also, an act to amend an act to incorporate the Georgia Western Railroad Company.

Also, an act to incorporate the Memphis Branch Railroad Company and to grant certain powers and privileges to the same, and for other purposes.

Also, an act to define the jurisdiction of the courts of this State in suits against railroad companies.

Also, an act to incorporate the Auraria, Etowah and Camp Creek Mining Company of Lumpkin county, Georgia.

Also, an act to incorporate the Camilla and Cuthbert Railroad Company.

Also, an act to incorporate the Eatonton and Madison Railroad Company.

Also, an act to incorporate the town of Forrestville, in the county of Floyd, and State of Georgia, and to appoint commissioners for the same, and for other purposes.

Also, an act to incorporate the Dublin Manufacturing Company, and to confer certain privileges thereon.

Also, an act to define the duties and liabilities of all insurance companies transacting business in this commonwealth, except the Georgia Masonic Mutual Life Insurance Company, and Masonic Daughters' Mutual Aid Society.

Also, an act to charter the Georgia Mutual Fire and Life Insurance Company.

Also, an act to define the mode of conducting suits before justices of the peace and notaries public in this State, and for other purposes.

Also, an act to incorporate the Georgia Land and Immigration Company.

Also, an act to change the line between the counties of Pickens and Cherokee.

Also, an act to incorporate the Alpharetta Mining Company.

Also, an act to alter and amend an act to change the place of holding legal sales in the county of Muscogee.

Also, an act to incorporate the Georgia Fertilizer Manufacturing Company.

Also, an act to authorize land owners on Board Creek, in the counties of Liberty and Tatnall, to remove obstructions from the same, and for others purposes.

Also, a resolution for the relief of James Holliman, Tax Collector of the county of Upson.

Also, a resolution that Judges of the Superior Courts, ex-Judges of the Supreme Court, Reporter and Clerk of the same, and Solicitor General, shall continue in office until their successors shall be elected and qualified, and the Governor be authorized to draw his warrant to pay the same.

Also, a resolution to extend the time for completing the public printing.

Also, an act to incorporate the town of Homerville, in the county of Clinch, and for other purposes.

Also, an act to amend the several acts incorporating the town of Cartersville, in the county of Bartow, and to repeal all acts and parts of acts in conflict with this act.

Also, an act to incorporate the Wahoo Mining and Manufacturing Company, and for other purposes.

Also, an act to amend an act to incorporate the Georgia Western Railroad Company.

Also, an act to incorporate the Memphis Branch Railroad Company and to grant certain powers and privileges to the same, and for other purposes.

Also, an act to define the jurisdiction of the courts of this State in suits against railroad companies.

Also, an act to incorporate the Auraria, Etowah and Camp Creek Mining Company of Lumpkin county, Georgia.

Also, an act to incorporate the Eatonton and Madison Railroad Company.

Also, an act to incorporate the Camilla and Cuthbert Railroad Company.

E. I. HIGBEE,
Chairman.

The Senate took up the message from the House, on the bill to prohibit hunting on the lands of another without the consent of the owner of said lands.

On motion of Mr. Harris, the Senate adhered to its amendment to section second.

On motion, the Secretary was directed to return the bill forthwith to the House.

Mr. Higbee, from the Committee on Enrollment, made the following report:

Mr. President: The Committee on Enrollment, report as duly enrolled, and ready for the signatures of the President of the Senate and Speaker of the House of Representatives, the following acts:

An act to incorporate the Gainesville, Dahlonega and Ducktown Railroad Company.

An act to expedite the trial of causes in the Superior Courts of the State, in which the judges upon the bench may have an interest.

An act to so change the line between the counties of Polk and Haralson, as to add to the county of Haralson lots of lands Nos. 401, 402, 472 and 473.

An act to alter and amend the 4333rd section of Irwin's Code, relating to the punishment for cattle stealing.

An act for the relief of G. L. Roberts and Rebecca Mathis, of the county of Union, from the payment of a certain bond therein specified.

An act to regulate the issue and payment of all orders upon the county treasury of the different counties of this State.

An act to relieve Thomas Adams, from the pains and penalties as securities on the bond of William Willy.

An act explanatory of and to carry into effect section 12, division 2, and article 5th, of the Constitution of the State of Georgia.

An act to provide for the drawing of juries for the Superior Court in the county of Chatham.

An act to legalize the action of E. D. Watson, Ordinary of Lee county.

An act to extend the provisions of an act, entitled an act to authorize the formation of two fire companies in the city of Macon, to be called the Protection Fire Company, No. 1, and Ocmulgee Fire Company, No. 2, of the city of Macon, and to confer on the members thereof certain privileges and exemptions, approved February 7th, 1854, to Mechanics Fire Company, No. 4, of the city of Macon, any law to the contrary notwithstanding.

An act to require the Supreme Court Reporter to publish the decisions of said court in pamphlet form and to provide for the distribution of the same, and for other purposes.

An act to give to persons who may be employed in and about any steam saw mill located in the State of Georgia, or to any person or persons who furnish any steam saw mills so located with timber, saw logs, or provisions, or with any thing necessary to carry on the work of said mill, a lien of the highest dignity upon said mill for dues, wages, debts or demands, that he or she or they, may have against the owner, agent or lessee of said mill.

An act to amend the charter of the city of Albany, and to revive the charter, and to extend the limits of the town of Camilla, in the State of Georgia.

An act to amend section 3604, of the Revised Code of Georgia.

An act to incorporate the Macon Street Railroad Company, and for other purposes.

E. I. HIGBEE,

Chairman.

Mr. Winn offered the following resolution, which was agreed to, to-wit :

Resolved, That a committee of three be appointed to inform the House of Representatives that the Senate is now ready to adjourn.

The Chair announced as such committee, Messrs. Winn, Harris and Burns.

Mr. Nunnally offered the following resolution, which was adopted, to-wit :

Resolved, By the Senate, that its thanks are due and are hereby tendered to the Honorable B. Conley, President of

the Senate, for the able, faithful and dignified manner with which he has presided over the Senate. And be it further

Resolved, That the thanks of the Senate are due, and are hereby tendered to the Honorable C. B. Wooten, for the able, faithful and dignified manner that he has presided as President, *pro tem*. And be it further

Resolved, That the thanks of the Senate are due, and are hereby tendered to A. E. Marshall, Secretary of the Senate, J. C. Hendrix, Assistant Secretary, and J. G. W. Mills, Journalizing Clerk, and the subordinates, for the faithful and prompt manner that they have discharged their respective duties. And that the thanks of the Senate are hereby tendered to A. J. Cameron, for the faithful manner that he has discharged his duties as Messenger. And the thanks of the Senate are also tendered to Ephraim Thorn, Doorkeeper, for the polite and faithful manner that he has discharged his duties.

On motion of Mr. Hungerford, the following was ordered to be spread upon the Journal, to-wit :

Mr. President, and Senators: After a long and arduous session, this body is now about to adjourn.

We esteem it a high privilege to be permitted to thank you, gentlemen, for your uniform kindness.

That we have committed errors, is altogether probable, but that you have passed them by without complaint, is truly gratifying.

Suffer us gentlemen, to say that it has been our *constant* desire to perform the duties assigned us, with becoming fidelity—how far we have succeeded, we leave to your generous natures.

In taking leave of you, we can but wish for you a pleasant journey homeward, and a happy greeting on your arrivals. And should you again re-assemble, may you meet with a brighter prospect than was felt when the present Assembly convened.

It is to be hoped that our land will again smile with plenty, and our government become stable and blest.

Again, gentlemen, suffer us to thank you for your abundant kindness.

A. J. CAMERON,
Messenger.

EPHRAIM THORN,
Door Keeper.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President: The Committee on Enrollment, report as

duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following act, to-wit :

An act to amend an act to incorporate the Georgia Western Railroad Company, and to confer certain powers and privileges therein mentioned.

E. I. HIGBEE,
Chairman.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem* :

Mr. President: The House of Representatives have concurred in the first amendment of the Senate, to the bill of the House, to be entitled an act to prohibit hunting on the lands of another, without the consent of the owner of said lands, and has disagreed to the second amendment to said bill.

The House has also concurred in the amendments of the Senate, to the bill to be entitled an act to amend the several acts incorporating the town of Cartersville, in the county of Bartow, and to repeal all acts and parts of acts in conflict with this act.

Mr. Higbee, Chairman of the Committee on Enrollment, made the following report :

Mr. President: The Committee on Enrollment, report as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following acts, to-wit :

An act to change the line between the county of Quitman and the county of Stewart.

An act to change the line between the counties of Floyd and Gordon.

An act to change the law of evidence.

An act to incorporate the Brunswick Street Railroad Company.

An act to carry into effect the 13th section of the 5th article of the Constitution of Georgia.

An act prohibiting persons from selling or bartering from water-craft on the Chattahoochee river.

E. I. HIGBEE,
Chairman.

Mr. Higbee from the Committee on Enrollment, made the following report :

Mr. President: The Committee on Enrollment report as duly enrolled, and ready for the signatures of the President of the Senate and the Speaker of the House of Representatives, the following acts :

An act to permit A. K. Whitefield, of the county of Decatur, and Miles G. Copeland, of the county of Greene, to peddle in this State free of license.

An act to alter and change the line between the counties of DeKalb and Henry, so as to include in the county of Henry, the residence of John Calloway.

An act to organize a criminal court for each county in this State.

An act to incorporate the Van Dyke Hydraulic Hose Mining Company.

E. I. HIGBEE,
Chairman.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem* :

Mr. President: The House of Representatives have concurred in the amendments of the Senate to the following bills of the House, to-wit :

A bill to be entitled an act to appropriate money for the Institution for the Deaf and Dumb, and for other purposes.

Also, a bill to define the liabilities of all insurance companies in this State, etc.

Also, a bill to declare Carey J. Thornton eligible to the office of Solicitor General.

The House has also passed the following bill of the Senate, to-wit :

A bill to be entitled an act to alter and change the line between the counties of DeKalb and Henry, so as to include in the county of Henry the residence of John Calloway.

Mr. Higbee, Chairman of the Committee on Enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following acts, to-wit :

An act to increase the capital stock of the Wilcoxon Manufacturing Company to two hundred thousand dollars.

Also, an act to change the line between the counties of Clay and Calhoun.

Also, an act to compel the collection of the unpaid tax due for the year, 1867

Also, an act to consolidate the offices of receiver of tax returns and tax collector, for the county of Charlton.

Also, an act to incorporate the Noontooty Mining and Manufacturing Company, and for other purposes.

Also, an act to alter and amend the charter of the city of Americus.

Also, an act to change the line between the counties of Clinch and Coffee.

Also, an act for the relief of Jane E. Simms, and to constitute her a *feme sole*, as to all her separate property.

Also, an act to educate the indigent maimed soldiers of Georgia, etc.

Also, an act to extend the corporate limits of the town of Perry, county of Houston.

Also, an act to incorporate the Cherokee Manufacturing Company, of Floyd county, Georgia, and the Etowah Manufacturing Company, of Bartow county, Georgia.

Also, an act to repeal an act prohibiting the sale of spirituous liquors in the town of Fayetteville, approved December 3d, 1859.

Also, an act to incorporate the town of Colquitt, etc.

Also, an act to alter and amend an act entitled an act to amend an act to incorporate the town of Marthasville, in the county of DeKalb, passed on the 23d day of December, 1843. And also, to enlarge the boundary of said town, and to incorporate the same under the name of the City of Atlanta; and to change the name of the town of Rome to that of the City of Rome.

Also, an act to change the line between Berrien and Irwin, and Terrell, and Lee counties.

Also, an act to change the line between the counties of Marion and Taylor, so as to include the residence of Seaborn Montgomery, with lots of land Nos. 222, 223, 224, and 225, now in the county of Marion, to the county of Taylor.

Also, an act to authorize the survey of lands in the Sixth District of Habersham county, and for other purposes.

Also, an act to incorporate the Georgia Fire and Marine Insurance Company.

Also, an act to change the line between the counties of Taylor and Macon.

Also, an act to change the lines between the counties of Greene, Hancock and Taliaferro.

Also, an act to amend the 4813th section of the Revised Code of Georgia, to extend the criminal jurisdiction of the city court of Savannah, and for other purposes.

Also, an act to point out the mode of paying the fees of the Solicitor General of the Eastern Judicial Circuit of Georgia, and for other purposes therein enumerated.

Also, an act to incorporate the town of Cochran, in the county of Pulaski, State of Georgia.

Also, a resolution directing the Superintendent of Public Works to revise the map of the State of Georgia.

E. I. HIGBEE, Chairman.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem*.

Mr. President: The House of Representatives have concurred in the amendment of the Senate to the following bill of the House, to-wit :

A bill to be entitled an act to incorporate the Savings Bank of Atlanta.

The following message was received from the House of Representatives, though Mr. Carrington, their Clerk, *pro tem* :

Mr. President: The House of Representatives insists upon its disagreement to the amendment of the Senate to the bill of the House to prevent hunting on the lands of another, etc., and respectfully ask a committee of conference on said disagreement, and have appointed as said committee on the part of the House, Messrs. Anderson, Ayer and Hudson.

The House has also appointed Messrs. Shumate, Bell, Tweedy, Matthews and Sisson to join the committee appointed by the Senate to wait upon his Excellency the Governor and inform him that both Houses of this General Assembly having concluded their business, are now ready to adjourn.

The following message was received from the House of Representatives, through Mr. Carrington, their Clerk, *pro tem* :

Mr. President: The House of Representatives have concurred in the amendment of the Senate to the following bill of the House, to-wit :

A bill to be entitled an act to incorporate Homersville, in the county of Clinch, to appoint commissioners for the same, and for other purposes.

The following message was received from the House of Representatives through Mr. Carrington, their Clerk, *pro tem* :

Mr. President: The House of Representatives have instructed me to inform the Senate that having completed their business they are now ready to adjourn *sine die*.

The Senate took up the message of the House in relation to the bill prohibiting persons from hunting on the lands of another without the consent of the owner of said lands.

On motion of Mr. Harris, the bill was laid on the table.

Mr. Speer offered the following resolution, which was adopted, to-wit :

Resolved, That a committee of three be appointed on the part of the Senate to act in conjunction with the committee

appointed by the House of Representatives, to wait on his Excellency the Governor, and inform him that both Houses having completed their labors, are now ready to adjourn.

The Chair announced as the committee on the part of the Senate, Messrs. Speer, Nunnally and McArthur.

The Senate took a recess of twenty minutes.

On re-assembling, Mr. Nunnally, from the joint committee, made the following report :

Mr. President : The joint committee appointed to wait on his Excellency the Governor to inform him that both branches of the General Assembly having disposed of the business of the session, were ready to adjourn *sine die*, and to know of him if he had any communications to make to either branch thereof, have discharged the duty assigned them, and report that his Excellency has no further communication to make to either branch of the General Assembly, further than the tender of his kindest regards to the members, and his best wishes for their safe return to their homes and for their health, prosperity and happiness.

The President then announced the Senate adjourned *sine die*.

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For removal of county site of any county, ..	102	112	363	
To incorporate Griffin Loan, Trust and Savings Institution,.....	103	108	347	370
	373	470	486	
To incorporate Central Georgia Mutual Life Insurance Company,.....	103	108	371	484 499 503
To incorporate Georgia Loan and Trust Company, ..	103	112	363	373
	466	500	512	
To make Bills of Indictment amendable, ..	103	108	363	
To secure intelligent jurors,.....	103	108	172	363
To loan credit of State to South Georgia and Florida Railroad, and Macon and Augusta road,.....	103	112	248 249	273 275
	289	313	378	385 394 398
To consolidate offices of Tax Receiver and Tax Collector for Chatham,.....	103	111	172	371
To provide for election of Mayor and Aldermen for city of Savannah,.....	103	108	111	158 173
	174	177	192	235 236
To require Supreme Court Reporter to publish decisions,.....	104	108	121	202
	504	511	539	
Declaring who are eligible to the District Judgeship,.....	104	108	206	311
To punish vendors of Lottery Tickets,.....	108	371		
To prevent the sale or circulation of indecent or vulgar newspapers,.....	104	111	120	374
To repeal section 897 of Code,	104	112	257 266	377 434 450
To fix day for election of Municipal Officers,	104	112	378	
For relief of Debtors, etc., ..	104	108	207 227	228 229
	230	231	232	233 235
	236	345	346	346 357
To prevent frauds, etc., at elections, ..	104	111	121	381

BILLS OF SENATE—*Continued.*

To repeal an act prescribing mode of electing Mayor and Council of Atlanta,.....	104	112	377	385
	431	484	499	521
To pay certain sums of money to wounded in- digent soldiers or their widows,.....	104	111		
To provide for setting apart a homestead of realty, etc.,	104	108	109	235 246 248
	250	252	397	415 459 492
To legalize certain marriages,.....	104	108	378	
	471	486	518	
To define persons subject to road duty,.....	104	112		
	312	500		
To amend charter of Macon and Augusta Rail- road,.....	106	314	467	520
To amend 2489th section of Code,.....	151	174	192	319
	476	486	519	
To incorporate Marshal Hose Company,	152	175	192	380
To fix compensation for taking down evidence in charges of Felony,.....	152	175	193	380
	475	486	518	
To incorporate Southern Life Insurance Com- pany,	152	175	382	462
	477	476	500	523
To incorporate Bainbridge District South Ga. Conference,.....	152	175	192	378
As to sale of real estate of Fletcher Institute,	152	175	319	470 486
To exempt from jury duty, members of Fire Companies in Albany,.....	152	175	254	381 470 486
To amend an act to incorporate Dawson Man- ufacturing Company,.....	152	175	346	412
To change line between Randolph and Terrell,	152	175	205	381 471 485
To alter section 1, article 3, chapter 2, of Code,	152	175	192	
To amend article 2, chapter 3, title 2, part 2,	152	175	385	
To repeal section 3525, and change 2863, of Code,.....	152	175	206	381
To enforce section 30 of 1st article of Consti- tution,.....				152
For protection of citizens of this State,	153	176	193	386
To levy and collect tax on pistols and bowie knives,.....	153	175	383	387
To alter 10th article of Constitution,.....	153	175	383	387

BILLS OF SENATE—*Continued.*

To change the time for holding election of Governor, etc., and change time for meeting of General Assembly,.....	153	175	385
To incorporate Georgia and Alabama Life Insurance Association,.....	153	175	205 385 476 486
To relieve Mrs. Margaret W Crew,...	153	176	202 211
To prescribe time for electing members of Congress,.....	153	176	405
To authorize Universal Life Insurance Company to make investments,.....	153	175	310 392 449 461 477 492 535
To establish new county from Troup, Meriwether, Coweta and Heard,.....	153	176	
To relieve Samuel W Gardner of Mississippi,	153	182	
To define duties and liabilities of Foreign Insurance Companies,.....	154	182	192 395 471 486
To declare intent and meaning of mechanic and other liens, and to carry into effect 30th section, 1st article of the Constitution,.....			154
To authorize executors and administrators of other States to sell and convey real estate, etc.,.....	154	182	206 395 475 485 526
As to judgments or decrees being enforced out of county where rendered,.....	154	183	206 408
To amend section 4330 of Code,	154	183	206 382 395 397 417 450 456 470 486 519
To amend section 4322 of Code,	154	183	206 397 467 519
To increase capital and define powers of Georgia Railroad and Banking Company,	154	183	314 471 486 521
To establish City Court of Atlanta,,.....	154	183	193
To authorize holding Superior Courts at Fall Terms,.....	157	173	174 180
To authorize Georgia Railroad and Banking Company to extend their road,.....	154	184	248
To incorporate Georgia Steam Navigation Company,.....	162	183	248 397
To incorporate People's Life Insurance Company,.....	162	409	
To amend charter of city of Albany,...	162	182	345 467 481 500 539
To organize common school system, etc.,.....	162		

BILLS OF SENATE—*Continued.*

To incorporate Schofield Rolling Mill Com- pany,.....	162 183 253 258 413
To incorporate Van Dyke Hydraulic Hose Gold Mining Company,...	168 199 401 498 510 542
To incorporate Etowah Manufacturing and Mining Company,.....	169 199 211 370 375 404
To prescribe mode of appointing notaries, etc., 169 199 405 484 500 512	
To amend section 4374 of Code,.....	169 199 409
For making jury lists and drawing jurors, 169 199 201 409	
To amend 1029 section of Code,.....	169 199 409
To aid and encourage enforcement of laws, 169 245 254 409	
To repeal act for educating maimed soldiers, 169 246 311 411 412 416	
To provide and establish general system of common schools,.....	169 183 257
To amend section 3604 of Code, 169 245 254 405 467 539	
For relief of Hamlin Hudgens, 169 245 254 411 467 485 521	
To amend section 1963 of Code,.....	169 245
To incorporate Cotton States Life Insurance Company,.....	169 245 412 486 499
For relief of Macon and Western and Atlanta and West Point Railroads,.....	169 263 406 460
To define duties of Attorney General, 169 245 254 418	
To authorize confession of judgment in certain cases,.....	169 245 323 418
To incorporate Georgia Western Railroad Company,.....	170 263 376 500 527
To fix salaries of Judges of District Courts and District Attorneys,.....	170 245 323 412
To amend section 4734 of Code,.....	170
To change line between Towns and Union, 170 263 413 503 507	
To prevent digging ginseng before 1st of Sep- tember,.....	170 219 263 413 487 499 521
For relief of G. L. Roberts and Rebecca Math- is,.....	170 260 413 538
As to unskillful physicians,...	170 263 413
To require Western and Atlantic Railroad to take up change bills,.....	170 263 277 414

BILLS OF SENATE—*Continued.*

To compel common carriers to provide equal accommodation for passengers,.....	170	265	270	414
To allow Bird D. Mobley to practice medicine,.....	170	265	270	414
To grant exemptions to Stonewall Fire Company, No. 1,.....	170	265	415	490 500
To permit A. K. Whitfield to peddle without license,.....	170	265	415	455
		498	510	542
To repeal section 584 of Code,...	170	265	414	492 521
To carry into effect article 1, section 23 of Constitution,...	171	503	506	518
To incorporate Turtle River and Scriven Railroad,.....	174	248	379	470 486 518
For summary enforcement of 30th section of Constitution,.....				175
To provide for education and establish general system of schools,.....				178
To provide for payment of teachers for 1868,				
	178	268	430	436 437
To change names of Wm. and J. T. Bess, etc.,				
	178	265	270	415
Creating board of education, etc.,.....				178
To establish mode of election,.....	178	265	404	417
As to cases of garnishment,.....	179	265	270	414
To incorporate Chattahoochee Manufacturing Company,.....	179	265	333	414
		470	512	518
To incorporate Warsaw Manufacturing Company,.....	179	265	414	485 499
For relief of Wm. F. Attaway,.....	179	219	260	415
		490	499	500 521
To encourage immigration,.....				179
For relief of Bank officers,.....				182 394
To secure efficiency in records of Ordinaries and other officers,.....				182 394 450
To incorporate People's Mutual Life Insurance Company,.....	182	404	470	499
To amend section 2519 of Code,.....	183	268	270	416
To incorporate Spaulding county Mutual Life Assurance Company,.....	183	268	417	490 503
To make more equal Judicial Circuits,	183	268	270	415
Making change in Tax Digest,.....	148	268		417
Making citizens of Georgia incapable of endorsing as surety, etc.,.....	198	268	270	416
Amend charter of Darien,.....			199	268

BILLS OF SENATE—*Continued.*

To incorporate White Manufacturing Compa- ny of Elbert,.....	199 268 332 416 466 486
To reduce bonds of Sheriffs of Appling and Wayne counties,.....	199 268 270 416
To amend charter of Savannah, Skidaway and Seaboard Railroad Company,..199 257 289 292 330 393 398 404
To authorize Courts to render judgments in civil cases on contract for labor at first term,	199 268 310 417
To amend acts incorporating town of Thom- asville,	199 268 270 417 503 506 524
To provide jurors for special terms of Superior Courts,	199 211 230 234
To alter and amend usury laws,.....	200
To give persons employed at steam saw mills lien, etc.,218 245 290 308 322 497 539
For relief of A. L. Sutherland,.....	218 268 310
To regulate judicial sales of real estate,	218 269 270 419
For relief of persons whose lands were sold for tax for years 1860 and 1865,...	218 269 270 379
To change line between DeKalb and Henry,	219 268 416 542
To amend an act to donate Okefenokee lands,	219 265 270 432
To prevent felling trees in water courses, etc.,	219 265
To authorize Margaret W. Crew to contract in marriage,	219 265 432 485 499 521
To amend arbitration laws,.....	242 266 506
To provide for payment of insolvent criminal cost,.....242 265 270 315 216 398 411
For relief of Andrew Gay,	242 266 380 467 486 526
To fix salary of clerk of Secretary of State,	242 267 310 432
To create new Judicial Circuit, etc.,.....	242 265 310
To change line between Washington and John- son,.....242 266 271 432
To provide manner and time of hearing causes by writ of <i>quo warranto</i> ,.....242 266 310 432 486 499 521
To change terms of Superior Court for Macon county,.....	242 267 312 459 486 499 572

BILLS OF SENATE—*Continued.*

For relief of Daniel Sanders and others,...	242	267	487
To provide for payment of indebtedness of people,.....	243	267	331 335
Declaratory of disability of freedmen to hold office,.....	243	258 259	406 408
To authorize Judges of Superior and District Courts to pay Attorneys appointed by them, etc.,	223	267	312 432
For relief of Davis P. Vickory,.....	243	267	310 433
	492	499	521
To organize a new county from Campbell, Fayette and Coweta,.....	243	266	
For relief of Wm. Rogers and estate of Robert Rogers,.....	243	266 323	433 451 462
To constitute State Board of Education,.....			257
To amend section 4487 of Code,.....	257	266	312 433
	487	499	521
To exempt lawyers and physicians from specific tax,.....	257	266	311 444
To reduce bond of Sheriff of McIntosh county,	257	266	447 450
To change line between Calhoun and Early,	257	266	271 512
To alter laws on subject of divorce,.....	257	266	310
To change line between Macon and Sumter,	257	266	271 433
To fix salaries of Justices, Notaries and Bailiffs,.....	257	266	311 434
To increase bond of Treasurer,.....	257	266	433
To establish State police,.....	257	266	342 440
To expedite trial of causes in Superior Courts,	257	267	445 499 538
For relief of securities and endorsers,	258	267	310 440
To continue in office Judges of Superior Courts,	384	388 450 456	490 499
To provide for election of Justices and Constables,.....			290
To relieve Henry L. Carroll and Rebecca Mathis,.....	290	330 344 434 492 498	499 521
To relieve Lambert C. Cook,.....	290	330	344 434
To regulate bonds of Sheriffs,.....	291	330	506
To constitute Fulton county a Judicial Circuit,	291	331	434
To provide for payment of officers and other persons having claims against late County Courts,.....	291	331	448

BILLS OF SENATE—*Continued.*

To organize a new county from Heard, Troup, Meriwether and Coweta.....	291 331
Guaranteeing rights of voters,.....	291 448 450
To authorize Justices to try all cases not capi- tal,.....	291
To amend charter of town of Weston, 291 434 490 499	
To relieve James N. Moss,..291 331 434 492 499 518	
To relieve Amos Hicks,.....291 331 434 503 506 518	
To change residence of Thomas T. Newbern, 291 331 375 440 503 506	
To provide for drawing jurors in certain cases, 291 330 331 448 450 492 499 521	
To provide for drawing juries of Superior Court of Chatham,.....291 450 451 498 539	
To incorporate Merchants' Savings Bank of Augusta,291 331 376 440	
To compel tax payers to pay at county site, 310 331 448 450	
To incorporate Citizens' Bank of Dalton,.....	310
To legalize the action of E. D. Watson,ordi- nary,.....334 341 450 452 498 539	
In relation to noting and protesting promissory notes, etc.,.....334 341 456	
To authorize F. W. Daws to practice medicine, 334 341 451 454 456	
To incorporate town of Grantville, 334 340 405 465 485	
To change line between Polk and Harralson, 334 341 375 455 498 538	
For relief of Thomas Adams,.....334 340 455 538	
To give Physicians liens on Homesteads and exemptions,.....334 340 456	
To change the lines between Gilmer and Fan- nin,.....334 340 507	
To regulate the issue and payment of orders on County Treasurers,.....346 382 538	
For relief of John N. and James Sligh, 346 382 448 449 466 478 494 524	
To change section 1967, of Code,.....346 382 506	
To relieve Julius W. Driver,.....346 382 452	
To amend section 4333, of Code, 346 450 451 498 538	
To authorize sale of lands of Georgia Military Institute,.....346 382 457	
To add proviso to section 4492, of Code, 346 382 448 449	

BILLS OF SENATE—*Continued.*

To incorporate Gainesville, Dahlenega and Ducktown Railroad,.....	346	382	450	443
	463	464	498	538
To create a Court for the trial of criminal cases,	346	382	450	451
	455	467	482	498
To authorize the Governor to appoint a Geologist,.....	346	449	452	443
				454
To incorporate Scudder Mining and Manufacturing Company,.....	374	382	457	
To require Sheriffs to organize Police force, etc.,	374	382	506	
To alter and change the names of Newtons, of Spalding county,.....	374	382	456	
To explain an act to levy and collect tax for 1868,.....	380	382		
To carry into effect section 12, division 2, article 5, of the Constitution,	395	417	451	453
			498	539
To change the time of holding the Superior Court of Coweta,.....	393	417	427	417
	427	485	504	512
To organize a Criminal Court for each county,	398	407	482	498
			542	
To provide for service of summons and appeals in Justices' Courts,.....	418	422	449	457
		504	506	519
Declaring Cary J. Thornton eligible to Solicitor Generalship,.....	466	477	479	495
	420	526	527	542
To make uniform all election tickets,	466	477	495	532
To increase fees of Sheriff of Jones County,	466	477	494	523
			528	
To incorporate Auroria, Etowah and Camp Creek Mining Company,	467	477	495	523
			537	538

BILLS OF HOUSE.

To prohibit sale of spirituous liquor on days of election,.....	120	198	262	376	489	502
To fix salaries of Judges of Supreme and Superior Courts and other State officers,.....	128	135				
To allow T. K. McDonald to practice law,	131	198	262	519	534	
To exempt maimed men from poll tax,	131	198	261	311	488	
To relieve Wm. S. Moughon from double tax,	131	198	262	311	490	535

BILLS OF HOUSE—*Continued.*

To grant certain rights to Metropolitan Steam Fire Engine Company,.....	131	198	261	488
To consolidate offices of Receiver of Tax Re- turns and Tax Collector of Chatham coun- ty,.....	132	198	262	323 489 542
To change time of holding Superior Courts for counties of Catoosa and Cherokee,	132	165	250	269
		271	284	285
To incorporate Cedar Town,.....	132	198	262	492 536
To incorporate Georgia Air Line Railroad,	132	171	198	201 217 233
To incorporate Brunswick Street Railroad,	135	198	262	507 541
To deprive Mayor and Marshal of Valdosta of all fees,.....	141	198	261	448
To incorporate town of Trion,...	142	198	261	461 535
To incorporate Citizens' Bank of Dalton,	142	198	262	502 535
To change the law of evidence,	142	198	262	311 492 541
To re-organize municipal government of the city of Augusta,.....	160	162	173	176 185
		187	191	212 213 220
		221	222	224 254 376
To incorporate Georgia Mutual Life Insurance Company,.....	168	198	261	396 410 537
For relief of Treasurer and Comptroller Gen- eral,.....	170	174	177	
To change line between Clinch and Coffee,	172	198	261	488 543
To change line between Taylor and Macon,	172	198	261	460 462
		476	497	519 543
To create Board of Commissioners of Roads and Revenue,.....	172	197	260	484 496
To provide for election of Mayor and Alder- men of Savannah,.....	172	173	177	
To amend section 3174 of Code,.....	172	197	261	489
To change line between Henry and Clayton,	172	197	260	489 535
To change line between Green, Hancock and Taliaferro,.....	172	197	261	271
		449	482	543
To provide for election of Justices and Con- stables,.....	173	198	262	311 330 461 535

BILLS OF HOUSE—*Continued.*

To amend sections 2530 and 2531 of Code,	173 198 262 311 502
To amend an act to incorporate Oglethorpe University,.....	177 197 505 535
To amend act incorporating town of Lumpkin,.....	182 198 260 329 336 403 515
To incorporate town of Colquitt, 158 198 262	482 543
To provide for election of Board of Commissioners for Western and Atlantic Railroad,	248 258 262 404 408
To compel collection of unpaid tax for 1867,	249 258 262 483 542
To empower R. T. Massey to sell real estate of E. M. Edwards,.....	253 258 263 330 352
To charter Georgia Mutual Fire and Life Insurance Company,.....	253 258 263 310 524
To incorporate the town of Kingston,	253 258 262 501 514
To authorize Macon and Brunswick Road to extend its Branch,.....	253 258 262 352 362 466 470 509
To establish the City Court of Atlanta,.....	254 263
To amend an act to incorporate the University of Midway,.....	260
To loan credit of State to Air Line Railroad,	261 272 308 312 352
To appropriate money to Institution for Deaf and Dumb,.....	261 330 340 487 542
To authorize Governor to borrow money to pay members, etc.,.....	277 280 284 294
To amend charter of Americus,.....	289 334 340 542
To levy and collect a tax for support of Government for 1868,.....	289 292 330 336 338 347 348 349 350 351 352 358 371 372 377 379 447 451 456 464 468 475 472 473 480 484 498 499 500 505 518
To amend acts incorporating town of Cartersville,.....	289 333 339 493 528 537 541
To prohibit hunting on lands of others without consent of owners,.....	289 333 339 501 538 541 544
To amend charter of town of Sandersville,	289 333 339 449 493 535

BILLS OF HOUSE—*Continued.*

- To change line between Quitman and Stewart,
290 333 375 449 493 541
- To prevent illegal return of lands,
290 333 340 382 505
- To remove county site of Bullock,...290 333 339 504
- To extend corporate limits of town of Perry,
290 334 340 497 543
- To authorize municipal authorities to license
pawnbrokers,.....290 333 340 501 535
- To incorporate town of West End,...294 330 339 501
- To amend charter of the city of Cuthbert,
294 334 340 505
- To incorporate the Ocean Bank of Brunswick,
329 334 340 376 395 396 406 408 409 431
- Prohibiting persons from selling or bartering
from boats,.....329 334 340 497 541
- To carry into effect the 13th section of 5th ar-
ticle of Constitution,.....333 334 340 505 541
- To incorporate Georgia Fire and Marine In-
surance Company,.....104 108 294 333 340
371 465 501 543
- For relief of Atlantic and West Point, and
Macon and Western Railroads,.....169 263 289 333
339 406 410
- To incorporate the Narcocoochee Valley Mining
Company, and Hannay Mining Company,...
352 357 421 431 511
- To extend the aid of State to completion of
Macon and Brunswick Railroad to Branch
of said road,.....352 357 420
- To amend the several acts incorporating the
town of Marthasville,...376 421 444 483 543
- To incorporate the Buckeye Mining and Man-
ufacturing Company,.....377 420 443 502 512
- To relieve Seaborn Montgomery, and others,
384 420 442 517 536
- To incorporate Brunswick Gas Light Manu-
facturing Company,.....384 421 445 506 535
- To change lines between Clay and Calhoun,
384 420 483 542
- To change lines between Floyd and Gordon,
384 420 444 512 541
- For relief of George D. Whitfield,...384 421 443 515
- To exclude certain lands from corporate limits
of Ringold,.....384 405 507 536
- To increase the number of sessions of Superior

BILLS OF HOUSE—*Continued.*

Courts,	384	420	442	516	533
To point out mode of paying fees of Solicitor General of Eastern Circuit, etc.,	384	543			
To fix time for electing Representatives, ...	388	460	468		
To incorporate the Manufacturing Marine Railway Commercial and Dry Dock Company, of Brunswick,	392	414	444	513	536
To define jurisdiction of Courts in suits against Railroad Companies,	392	419	444	510	536 538
To prohibit carrying concealed weapons,	392	419	442	513	
To change lines between Irwin, Berrien, Terrel and Lee,	392	419	443	501	507 543
For relief of criminals confined in prisons,	392	421	442	516	536
To incorporate Memphis Branch Railroad Company,	392	420	443	500	508 536 538
To amend 1st section, article 10th, of Constitution,	392	424	442	514	
To appropriate funds for burial of Confederate dead,	392	405	418	468	
To make valid tax levied by Inferior Court of Echols,	394	405	421	507	536
To authorize John Overstreet to establish a Fishery,	394	420	445	511	534
To provide for registering voters for city of Atlanta,	394	420	444	534	
To change line between Marion and Taylor,	407	420	443	501	505 543
To fix venue of suits against Superintendent of Western and Atlantic Railroad,	407	421	442	518	534
For relief of Isaah Williams,	410	419	442	516	533
To change the residence of John C. Shipp,	410	420	442	515	534
To authorize survey of lands in 6th District of Habersham county,	410	419	444	483	496 543
To prevent hunting on the Sabbath day, etc.,	410	420	442	513	530
To repeal an act making Honey Gall Landing a public landing,	411	421	444	513	535
To authorize an advance of payment to J. W. Burke, State Printer,	411	420	442	465	468 471
To raise funds by taxation to build a jail in Bibb county,	411	420	443	507	536
To declare what length of time shall give Road					

BILLS OF HOUSE—*Continued.*

Commissioners jurisdiction over hands,.....	411	419		
			444	518
Forbidding the formation and drilling of military companies,.....	411	419	444	512
Exempting members of Fire Companies in Milledgeville from road, jury and militia duty,.....	265	411	421	442 518
To repeal an act prohibiting the sale of spirituous liquors in Fayetteville,.....	411	419	444	
			489	504 543
For relief of B. F. Henry, and others,	411	421	443	511
To increase capital stock of Wilcoxon Manufacturing Company,.....	412	419	444	542
To raise a revenue and appropriate money, etc.,				
	412	418	422	480 528
To authorize Albert H. Cox to practice law,				
	412	419	445	511
To point out mode of paying fees of Solicitor General, Eastern Circuit,.....	414	442	450	487 488
To incorporate Cherokee Manufacturing Company,.....	419	490	543	
To amend section 4813 of Code,.....	411	419	442	450
			487	488 543
To extend criminal jurisdiction to City Court of Savannah,.....				419
To amend act to educate indigent maimed soldiers,	419	445	487	543
To prohibit carrying concealed weapons,				
	392	513	419	442
To legalize acts of Hon. J. T. Clarke,				
	392	420	442	513 533
To amend act to incorporate Georgia Western Railroad Company,.....	170	263	376	420
			443	505 536 541
To incorporate Dalton and Morganton Railroad,.....	427	431	443	514 534
To allow W. J. McGill to peddle without license,.....	427	431	444	515
To incorporate Alpharetta Mining Company,				
	428	430	443	510 537
To incorporate town of Forrestsville,				
	428	431	444	518 537
To extend time of issuing grants on head rights,.....	428	431	444	516 535
To incorporate Muscogee Ice Manufacturing and Trust Company,.....	428	431	444	519

BILLS OF HOUSE—*Continued.*

To incorporate Noontooty Mining and Manufacturing Company,.....	429	443	483	542
To incorporate town of Cochran,.....	429	431	444	483 543
To change line between Habersham and White,.....	429	430	443	
To amend act incorporating the town of Spring Place,	429	430	444	513 534
To change line between Hall and White,.....	429	431	443	
To extend the aid of the State to the Savannah Griffin and North Alabama Railroad Company,.....	429	430	441 467	468 536
To alter chapter 3, title 15, part 1, of Code,.....	441	445	461	519 526
To incorporate Atlanta Trade Company,.....	441	445	461	513
To repeal act to amend an act incorporating Atlanta Medical College,.....	441	445	524	
To change time of holding Bartow Superior Courts,	441	445	461	513 535
To authorize Ordinaries to issue writs of <i>habeas corpus</i> ,	441	445	461	509 535
To incorporate John King Banking Company of Columbus, and the City Bank of Macon,.....	446	462	477 535	506 508
To change paragraph 1711 of divorce law,.....	447	462	477	520
To change time of holding Fall term Superior Court of Dawson county,....	447	462	477	522 536
To amend charter of Princeton Factory,.....	447	462	477	522 536
To amend charter of Atlanta Street Railroad Company,.....	447	462	477	520
To incorporate town of Jefferson,.....	447	462	477	522 534
To incorporate Etowah Gold Mining Company,.....	447	462	477	523 534
To relieve Merrit Camp,.....	447	462	477	522 536
To incorporate Georgia and Alabama Steamboat Company,.....	448	462	477	515 536
To incorporate town of Barnesville,.....	448	461	477	523 534
To allow attorneys to administer oaths in certain cases,.....	449	461	476	515 535
To relieve Rachel Box,.....	449	461	467	477 519 536
To relieve Jane E. Simms,.....	449	461	477	543
To incorporate Savings Bank of Atlanta,.....	449	462	477	509 525 544

BILLS OF HOUSE—*Continued.*

To Prohibit sale of lottery tickets in this State,	451 462 476 049
To incorporate Georgia Marble Works,.....	485 495
To appoint Commissioners for Dahlonega,	461 509 510 535
To amend an act giving merchants and factors lien on crops,.....	509
To confer jurisdiction on Superior Courts, etc.,	509
To dispose of unfinished business of late Inferior Courts,.....	509
To authorize Jno. F. Alford to settle with Z. N. Alford,.....	509
To define mode of conducting suits before Justices, etc.,.....	502
To revise and amend an act for constructing Road from Athens to Clayton,	154 184 468 479 494 508
To extend Thomaston and Barnesville Railroad to Geneva,.....	468 479 494 508
To prescribe oath to be administered to voters,	460 462 463 476 515
To incorporate Wilmington Railroad Co.	460 463 476 513 536
To authorize Western and Atlantic Railroad to pay F. C. McCreary,.....	460 463 476 523
To change time of holding Superior Courts of Marion county,.....	460 462 477 521 536
To incorporate Hightower Manufacturing and Mining Company,.....	466 485
To provide for payment of interest due and to mature on bonds,.....	460 462 476 535
To incorporate the town of Hogansville,	460 462 476 522 534
To validate the charter of St. Marys,	460 462 476 521 535
To repeal an act regulating fees of Magistrates and Constables,.....	460 463 476 521 534
To change line between Cherokee and Pickens,	460 463 469 476 478 495 522 534 532 537
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